

1,164 paintings of alleged Hungarian origin to the Austrian Federal Government in January 1949. Thereafter any restitution of artwork of alleged Hungarian origin was to be worked out between the neutral Federal Republic of Austria and the then Communist government of Hungary. During the prior five years, however, the U.S. Army had carefully stored, secured, and inventoried this art collection and because of increased Cold War tensions between the United States and the Communist governments of Hungary and the USSR that made any mutually satisfactory resolution unlikely if not impossible, washed their hands of any further responsibility by turning the problem of restitution over to Austria. Thus, except for 12 paintings of this lot, which were claimed and restored to private ownership, the remaining artwork went to Austrian custody for final disposition, releasing "United States forces in Austria from all responsibilities or claims with respect to them."<sup>87</sup> Hungarian artwork was not stolen, damaged, or given over in permanent ownership by the U.S. Army to other individuals or nations; however, Austria was to effect restitution if and when valid Hungarian claims were made. U.S. Army control of subsequent Austrian actions in this matter was non-existent.

#### **THE USFA AND RESTITUTION**

The resolution of claims involving Hungarian gold and artwork is indicative of the general policies and procedures followed by USFA when dealing with matters of property restitution. When ownership was clear, the necessary claim and restitution paperwork was

completed, and when investigations were conducted and the validity of the claim was established, restitution was made.

The prompt and thorough restitution of property looted by the Nazis and her allies and satellites had long been accepted policy stemming from the January 5, 1943, United Nations London Declaration, signed by 18 nations of the Grand Alliance. Subsequent general policies governing restitution of property were not initially made by USFA alone, but were developed through discussions with the Quadpartite Reparations, Delivery and Restitution Directorate of the Allied Council, which submitted its restitution plan on January 26, 1946. Disputes between the Western Allies and the USSR over the exceptionally broad Soviet definition of reparations, and rapidly changing political allegiances prevented a single Allied restitution policy from ever being implemented throughout Austria, or elsewhere during the postwar period. Therefore, the United States developed its own policy and the USFA and USACA devoted the activities of an entire division at its headquarters to matters involving reparations, deliveries, and restitution of property, private and public, held secure at war's end.<sup>88</sup>

As U.S. Army efforts to rehabilitate and restore Austria to full economic and political independence succeeded at a faster pace, the USFA sought to decrease its occupation duties and role, including that of property restitution. Increasingly, responsibility for DPs, denazification, and property control was given over to the Austrian Federal Republic. This was done "In accordance with a letter from General Keyes to Chancellor Figl of April 13, 1948, which transferred responsibility for restitution to ex-enemy nations to the Austrian government." Therefore, after April 1948, any issues

involving Hungarian property and its restitution, public or private, whether originating with the Hungarian Gold Train or elsewhere, was no longer the responsibility of the United States Army, but a responsibility of the Austrian Federal Republic.<sup>89</sup> Hungarian gold had already been restored in 1946, and alleged Hungarian artwork was the responsibility of Austria, not the USFA.

Contrary to allegations that claims made by the Hungarian government or its citizens were ignored, the record shows that consistent and good faith efforts were made by USFA between 1945 and 1950 to restore property belonging to Hungarians citizens, legitimate groups representing Holocaust victims, and the Hungarian government when ownership could be clearly established and if restitution procedures and processes were followed. This included property from the Hungarian Gold or Werfen Train.

Documentation exists to show that Hungarian claims were investigated and items restored in a timely fashion starting in the fall of 1945 and extending through 1950.<sup>90</sup> By

December 31, 1947, for example, the U.S. Army had processed more than 7,750 Hungarian claims, more than that of any other nation, except Poland. On that same date, the

U.S. Army was still processing another 742 Hungarian claims, again, more than for any other European nation. In monetary value of restitution as well, by the above date, the estimated value of completed restitution to Hungary exceeded \$11,800,000, again, more than the amount paid out to any other European nation. Surviving U.S. Army records clearly detail that every effort was made to restore property of all descriptions, not only to the Hungarian government, but also to private businesses, institutions, and citizens.

Hungarian claims were addressed, not ignored.<sup>91</sup>

While U.S. Army and government officials continued to make a good faith effort to account for and restore all gold, artwork, and other valuables that had clearly belonged to the Hungarian nation or its citizens prior to the close of hostilities, the Hungarian government did make a "quit claim" in February 1946 on all property of unknown ownership or origins in USFA possession. There is a further issue that a portion of the material found on the various trains was obviously property looted from Hungarian Jews during the time the Hungarian fascist government was allied with Nazi Germany; and therefore, was not legally obtained in the first place. This prompted the United States to make the decision in June 16, 1946, that Hungarian government claims to this property were illegitimate based on the January 5, 1943, United Nations London Declaration, which forbade restitution to Germany of property looted by the Nazis and the governments of their satellites or allies. If it was determined that the property could have been looted only during the period of forcible occupation of Hungary by Germany, restitution would be allowed. In the case of the Hungarian Gold or Werfen Train material, it was impossible to make this determination beyond reasonable doubt.<sup>92</sup>

Yet in anticipation that legitimate claims to Hungarian Gold Train property would be forthcoming, either from the Hungarian government or from Hungarian citizens through their government, and in the knowledge that much of the material found on the train belonged to Hungarian Jews and that some or all of this material may indeed be subject to restitution, the U.S. Army made all possible efforts as early as February 1946 to locate, inventory, and properly account for the property through requisitions and hand receipts in possession of USFA. A communication between Generals Tate and McMahon,

for example, made this clear by stating "There is evidence this property belongs to Hungarian Jews. It will not be used. Must be carefully protected," to which General McMahon concurred "I recommend that we do not touch."<sup>93</sup>

Concern was also shown among U.S. leaders that property belonging to "refugee Jewish owners some of whom are now DP's who will not return to Hungary but will stay in Austria or go elsewhere" was being claimed by the Hungarian government. It was decided that such property should be withheld from any claim as Allied agreements were "not intended to dispossess racial or religious refugees" of their property. If in doubt, such claims were to be denied. Therefore, the U.S. government established the policy that "household goods, valuables, art objects and other personal property owned and removed from a country by refugees who left the country for religious or racial reasons and who choose not to return to that country, will not be subject to restitution."<sup>94</sup>

Finally, U.S. officials were aware by 1946 that the majority of Europe's Jewish population had perished in the Nazi Holocaust and that legitimate claims on behalf of these people were unlikely. They were similarly aware that the probability of fraud in such cases was extremely high. The fate of Hungarian Jews was especially pertinent in regards to the Hungarian Gold Train property. Unlike the Jewish populations of Poland and the USSR, Hungarian Jews had avoided extermination until 1944, due to Hungary's status as an ally of Nazi Germany and to the fact that fascist Arrow Cross officials controlling the government, while placing increasing pressure on its Jewish population of 725,000 and a further 100,000 Jews living in four areas of Poland and Rumania annexed by Hungary by 1941, did not seek their deportation.<sup>95</sup> This all changed as the Red Army neared the

Hungarian border, prompting the Wehrmacht to occupy the country in March 1944, in anticipation that Hungary would seek to jettison its alliance with Germany in favor of a separate peace with the USSR.<sup>96</sup>

Accompanying the German occupation forces was a Nazi Special Operations Commando Hungary tasked with organizing the deportation of the country's Jewish population to extermination camps, scheduled to begin in April 1944. Prior to their placement in hastily formed ghettos throughout Hungary pending deportation, Jewish businesses were closed by decree of the Hungarian fascist government. Jewish citizens were forced to turn their personal valuables, assets and possessions over to the fascist state, much of it ending up in the coffers and storehouses of the Hungarian National Bank in Budapest and other cities and towns throughout the nation. This then, was the origin of much of the personnel property found on the Hungarian Gold or Werfen Train.<sup>97</sup>

Actual deportations began in mid-May with an average of 13,000 Hungarian Jews being sent to the extermination camp at Auschwitz-Birkenau, Poland daily and 116,000 in one 10-day period alone. Deportees were allowed to take only what they could carry onto the crowded cattle cars. Unlike previous deportees, who were often selected for an albeit brief period of forced labor, the Hungarian Jews were gassed immediately on arrival at Auschwitz-Birkenau at the rate of 8,000 to 9,000 persons per day. In this manner, over 445,000 Hungarian Jews were sent to Auschwitz-Birkenau in less than five weeks between May 15 and June 19, 1944, while another 350,000 awaited deportation in squalid ghettos.<sup>98</sup> The extermination of Hungarian Jews was thus carried out in an extraordinarily swift and efficient fashion and it was reported in late September 1944 that only 200,000 of

**Hungary's 800,000 or so Jews were still alive. Indeed, postwar surveys indicated that of the initial Jewish population of 825,000 under Hungarian control in 1941, fewer than 256,000 were still living as of December 1945, and were now widely scattered throughout Europe and with increasing numbers in Palestine.<sup>99</sup>**

**This death toll of nearly 600,000 was not lost on U.S. Army officials addressing claims for property of suspected Jewish ownership from the Hungarian government in the immediate postwar years, including Hungarian Gold Train property. Given the mortality rate among Hungarian Jews at Auschwitz-Birkenau in the late spring and early summer of 1944, it appeared unlikely that little, if any, of the Hungarian Gold Train property had surviving owners. With the increasing difficulty of establishing individual ownership and determining whether owners had survived the war, and in view of the increasingly poor relations between the Western Allies and the nations of the Communist East Bloc, including Hungary and the USSR, U. S. Government officials decided to give unclaimed, ownerless property of unidentified or unknown origins to United Nation refugee organizations, in particular to the Intergovernmental Committee on Refugees and its successor organization, the International Refugee Organization (IRO). Therefore, in November 1946, the commanding generals of USFET and USFA were ordered by the United States Joint Chiefs of Staff, the U.S. State, War, and Navy Departments to, make available . . . to duly accredited representative of intergovernmental committee on refugees (IGCR) all valuable property which represents loot seized or obtained under duress from political, racial, or religious victims of Nazi government or its satellite governments or nationals thereof which was or may hereafter be found, seized, or confiscated by USFET or by local authorities acting under direction or control of U.S. forces.**

Conditions governing property subject for such turnover to the IRO included that it

- 1) could not be restored "because determination of national origin is impractical" ;
- 2) "property cannot be restored to lawful owners under laws in force or in place where presently found either because lawful owner has died or ceased to exist without legal successor; or 3) because determination of individual ownership is impracticable."

U.S. officials believed that the above conditions applied to at least a portion of the Werfen train's contents.<sup>100</sup>

Following the receipt of these orders from the United States, the U.S. forces in Austria were instructed that unclaimed and unidentified Hungarian Gold Train property of unknown origins was authorized for release to the Intergovernmental Committee of Refugees. A list of Hungarian Gold or Werfen Train property loaned from the Military Government on a memorandum of receipt was then forwarded to the Property Control Branch, USACA, though the Property Control and Restitution Section of the Zone Command on March 20, 1947, in anticipation of calling in this material for a turnover to refugee officials.<sup>101</sup>

According to a subsequent U.S. Department of State report of July 1947, the contents of the Hungarian train captured by the Americans in the U.S. Zone in Austria were,

unidentifiable as to owners and, in view of the territorial changes in Hungary, as to national origin; restitution to Hungary being therefore not feasible, it was determined, with the approval of this Government, that the property in question would be given to the Intergovernmental Committee of Refugees (succeeded by the Preparatory Committee for the International Refugee Organization). . . . The Legation is probably aware that the PCIRO, as successor organization to the IGCR, is a United Nations Agency charged with the responsibility for the resettlement and



rehabilitation of the nonrepatriable victims of Nazi action, and that ninety percent of the proceeds of the so-called non-monetary gold transferred to this agency under the terms of the international agreements referred to are used for the benefit of Jewish victims of Nazi persecution.<sup>102</sup>

Furthermore, the U.S. State Department report claimed, the Hungarian legation in a communication dated February 25, 1946, stated "that the Hungarian Government had 'waived all claims to this property' but wished to turn over the goods to Jewish welfare organizations in Hungary and 'would gladly help its citizens by protecting their rights to claim the return of this property' ".<sup>103</sup>

In spite of Hungarian desires, the USFA turned over Hungarian Gold Train property to the PCIRO, citing a number of reasons, which in the context of the times appear both prudent and legitimate. First, "the contents of the train represented several thousand of items of loot seized or obtained under duress from political, racial or religious refugees of the Nazi regime and its satellite governments or nationals." Second, "the property was so intermingled in transit that identification of ownership, if not impossible, was administratively impractical." Third, "none of the individual items amounted to a large value, although the total value of the items was great." Fourth, "the Hungarian Mission did not substantiate its blanket claim" in a manner consistent with accepted restitution policies. Fifth, "it was considered that the greatest number of persecutees would benefit from the proceeds of the property through PC-IRO administration." Finally, there was considerable "apprehension that the property would fall in the hands of the Soviet if returned to Hungary."<sup>104</sup>

In addition, U.S. officials had received disturbing information regarding groups in Hungary that claimed to be representing the interests of Hungarian Jews who had survived the Holocaust and who had allegedly returned to their nation after the war. According to one report "Representative members of Budapest Jewish community are reported to have indicated strong views that U.S. authorities should not accede to [Nicholas] Nyardi [Hungarian Under Secretary of State, Ministry of Finance] demand since Hungarian Jewish community will not receive benefit of loot. Hungarian Jews prefer transfer of loot to such Refugee Fund which is expected to aid emigration of Hungarian Jews."

Furthermore, the report stated, "It should be added that the fears expressed by the representative of the Budapest Jewish Community appear well founded in view of the uncertainty of the political developments and the danger of further exertion of pressure by the Soviet Union upon the Hungarian Government."<sup>105</sup> Similar requests from the American Jewish Joint Distribution Committee, then working in Europe and in the United States on behalf of Holocaust victims worldwide and the Jewish Agency for Palestine, sent to U.S. Army officials in Austria via the U.S. State Department, expressed their hopes that Jewish property found in Austria, specifically that of the Hungarian Gold Train, be delivered to them for the relief and rehabilitation of Jewish victims of Nazism throughout Europe.<sup>106</sup>

Hungarian officials subsequently requested that Hungarian property be withheld from sale by the PCIRO, a request that the PCIRO was willing to consider if proper identification could be made. Such identification, however, does not appear to have been considered practical by either PCIRO or American officials who actually possessed the

property in question and knew of its true intermingled state in storage. It does appear certain, according to the 1947 State Department report, that the PCIRO did indeed auction items from the Hungarian Gold Train in New York City but in a manner to realize the largest possible amount of profit for the beneficiaries of PCIRO activities that included Holocaust victims of many nationalities, including Hungarians who still were in need of aid and assistance. There was no substance, according to the U.S. State Department report, "to implications in the Hungarian Press that they [Werfen Train items] are being disposed of for private profit or that the proceeds may aid Hungarian Nazis."<sup>107</sup>

Following these decisions, therefore, in October 1947, "3 truck loads of silver" from Frankfurt, and "10 car loads of rugs, crystal, porcelain, etc.," from Salzburg, all from the Hungarian Gold or Werfen Train, were transported to Bremerhaven, Germany, for shipment to, and sale in, the United States. Whenever Hungarian Gold Train materials were given to the PCIRO, or its successor or predecessor agencies, organization officials were made to sign receipts for USFA and USACA files.<sup>108</sup>

Hungarian Gold Train property such as cameras, watches, clocks, and costume jewelry determined to have been looted from Hungarian Jews who in all likelihood were also victims of the Holocaust, and additional property that was not deemed worth transporting to the United States for sale by the International Refugee Organization was suggested for sale at U.S. Army post exchanges in the U.S. Zones of occupation in Germany and Austria in a flurry of correspondence by members of the Reparations, Deliveries and Restitution Division, Property Control Branch, USFA, and the Chiefs of the Legal and Finance Divisions, USACA, and the USACA Legal Advisor beginning in early November

1945. It was established that the property was taken under Military Government-Austria Decree No. 3, Article Ib, that declared it "either captured enemy property, or property of a perishable nature, or both," and that in the opinion of the legal division, it could "be disposed of accordingly" if the items involved for sale did not have a personal value to former owners to whom restitution might at some future date be made.<sup>109</sup> Legal authorization to sell these goods in U.S. Army exchanges was in doubt in late 1945, however, and no further mention exists in the records as to whether an actual sale took place. Such sales may have been approved; however, but only as a July 1946 report stated, "if PX turns over proceeds to a nonrepatriable fund in dollars." It was also maintained that many of the yet unclaimed goods belonging to Holocaust victims, now likely deceased, such as fur coats, were beginning to deteriorate. It was suggested that all unclaimed property of this nature "would realize more if sold in the [United] States." It was finally suggested in the event that claims for property already sold were received at some later date, that a reserve of at least fifteen percent of the value of sold goods be retained from funds turned over to refugee organizations to satisfy these claims for at least another two years. Whatever funds remained after 1948 would be given over to a nonrepatriable fund benefiting refugees or to the International Refugee Organization.<sup>110</sup> Some of the property had already been used by 1947 and 1948 to meet the needs of displaced persons and refugees in Austria according to allied and U.S. policy. The items turned over in this manner to International Refugee Organization aid workers or which were used by USFA to meet DP needs included, among other things, clothing, empty suitcases, porcelain, and assorted glassware.<sup>111</sup>

According to U.S. Army records, the last remnants of the Werfen train items that were not restored to Hungarian claimants, to the Hungarian government, or not given to the International Refugee Organization for sale or used to assist their charges were disposed of by February 16, 1948, when all remaining property belonging to ex-enemy states was turned over to the Federal Republic of Austria for restitution, sale, or safekeeping. On this date, the Hungarian Gold or Werfen Train file was closed by the U.S. Army. Thus, the Austrians were given control and administration of large quantities of captured enemy war material and other supplies by the United States in a value exceeding \$5 million by October 1946. By May 1947, Austrians controlled the disposition of property owned by former Nazis, of Austrians detained by the U.S. Military Government, property forced to be sold during the Nazi occupation, and that claimed by American nationals dispossessed by the Nazis. While the USFA headquarters reserved the right to nullify any proceedings in which fraud was determined, they continued to encourage Austrian restitution commissions in their labors and praised them for settling a number of claims from ex-enemy states, including, by 1948, those of Communist Hungary.<sup>112</sup>

The Hungarian government strongly protested the turnover of unidentified Werfen train and other Hungarian property of unknown origins to the International Refugee Organization, in spite of the fact that this was a non-aligned United Nations organization whose efforts and capabilities to assist victims of the Holocaust were far greater than anything Hungary could have undertaken in its destitute postwar economic condition, and when considering its increased political domination by Communists and the Soviet Union.

While postwar allegations by the Communist government of Hungary that their claims and those of their citizens were ignored by U.S. Army officials are categorically untrue, it is true as demonstrated above, that some Hungarian Gold Train property of small aggregate value was not returned to its country of origin. Yet U.S. Army actions were not theft and the property in question was put to better use, benefiting far more needy individuals than anything proposed by a government in Hungary which, by 1948, was clearly antithetical to the United States.<sup>113</sup>

The final portions of the story of the Hungarian Gold train are caught up in the Cold War tensions between East and West, especially between the United States and the Soviet Union, already evident in 1946. Hungary, far from being an honest and open broker in its transactions with the United States concerning Hungarian Gold Train property in Austria, was becoming increasingly hostile, reflecting its shift from a fascist regime to a puppet and totalitarian Communist state dominated by the USSR. While the West had hopes that the postwar world would be more reflective of the ideals of the Atlantic Charter, nations throughout Eastern Europe, including Hungary, were being cut-off from Western Civilization and were being placed behind what former British Prime Minister Winston S. Churchill described as the "Iron Curtain." Thus, in the immediate postwar period Hungary lurched from the political right, as its fascist government was dissolved, to the political left wing as its government came increasingly under the sway and domination of the Communist Soviet Union, whose troops occupied Hungary. Already by the fall of 1945 and into early 1946, it was becoming obvious to the Western Allies that the Soviets intended to install governments favoring Communist ideology in Eastern Europe and the shift in

political allegiance produced a change in the attitudes of the local politicians who became more bellicose and whose cooperation with Western authorities became rarer. Hungary made the shift to communism only gradually, as Soviet dictator Joseph Stalin had decided against an immediate Communist seizure of power. He instructed the Hungarian Communist Party "to take a gradualist approach," hoping to delay a communist takeover for "ten to fifteen years in order to deflect Western criticism of rapid communist takeovers in Poland, Bulgaria, Romania, and the Soviet Zone of Germany." Hungarian Communists opposed this plan and after September 1947 "the Hungarian Communist Party proceeded swiftly to assume full control of the government." They had fully succeeded by mid-1948.<sup>114</sup>

Starting in mid-1946 and disturbingly extending to the present day, the issue of restitution became a valuable propaganda tool for use against the West in general and the United States in particular. The records show that Communist Hungarian charges of theft, made largely for propaganda purposes, were increasingly frequency after 1946, and now, unfortunately, have been resurrected in nearly verbatim form in the late twentieth century. These charges were clearly identified as Communist propaganda at the time, but it appears such analysis and discrimination is missing today. According to U.S. officials in 1946,

anti-U.S. elements in these countries are making capital from the U.S. failure to restore property looted by the Germans after the break of these satellite Governments with Germany. Particularly is this true of the Communist Party in Hungary; they cite non-restitution as an indication of lack of interest on the part of the Western Democracies.<sup>115</sup>

Even U.S. Army personnel dealing with property restitution at the local level were subject to Communist recriminations and unfounded charges seeking to make the disposition of the Hungarian Gold Train property another focus of anti-Western propaganda to use against the United States. The Chief of the Reparations, Deliveries, and Restitution Divisions of USFA, USACA, wrote to the American State Department Legation in Vienna in August 1948 that his office had been asked by Washington "for guidance in countering the accusations concerning the disposition of the loot [Werfen] train," and that the RD&R Division would like to know how Washington "had countered the Hungarian propaganda angles." This officer suggested that Washington "stress the unselfish release to IRO and the use of proceeds for the rehabilitation of the victims of loot?"<sup>116</sup> Yet in spite of such American efforts to prove that Hungarian Gold Train property was not stolen and that it had been put to good use, Hungarian allegations continued and are now repeated again in the late twentieth century.

What most observers in Hungary, Austria, and now in the United States, failed to see in the late 1940s, is that Hungarian Gold Train property was properly and legally disposed of, including that property on loan to U.S. service personnel. What property remained unclaimed by its legitimate owners, who were likely deceased and that had not been turned over for sale or use by United Nations refugee organizations for the benefit of victims of Nazi persecution prior to the end of the American occupation, was recalled using memorandum of receipts and inventories that had been in the possession of USFA Property Control, Restitution and Claims officers since the earliest days of the American presence in Austria in 1945. Duplicate requisition forms, according to standard U.S. Army operating



procedures, were also held by service personnel who requisitioned the items in question, and by unit property control officers. In this manner, Hungarian Gold Train materials were first gathered by Property Control Officers from U.S. Army personnel of all ranks who had been using them during the preceding years. The items were then inspected, checked against inventory and requisition sheets, and turned over to Austrian authorities for final disposition. Surviving U.S. Army records at the National Archives clearly show that property, including that from the Hungarian Gold Train were returned and were not stolen. This includes the property in the possession of Generals Clark and Collins, and in the possession of many of their similarly ranked colleagues. Twenty-two of the receipts turned in by 1948 involved property from the Hungarian Gold Train held by the 42<sup>nd</sup> Infantry Division alone. According to a memo from Lieutenant Colonel Heller, Property Control Officer, "the Headquarters Commandant of this Division is preparing a Master Receipt acknowledging responsibility for this property." The receipts were collected in a series of files specially devoted to the Werfen train property that survive in U.S. Army records at the National Archives and Records Administration.<sup>117</sup>

Examining the surviving documents in their entirety makes plain that one set consists of hand receipts and formal requisition forms, dating primarily from 1945 and 1946, acknowledging that property is being obtained on loan from the Military Government Property Control Warehouse in Salzburg under legal and fully authorized circumstances and standard operating procedures. If the intent of U.S. service personnel from enlisted through flag ranks was indeed the looting and theft of dispossessed valuables, it is extremely unlikely that signed receipts would ever have been created in the first place

or that they would have survived to the present day leaving a clear record of individual possession of these items. It is also unlikely that property control officers would similarly maintain records confirming these loans and calling for the return of such property, especially if it involved senior officers. It is of special note that the property gathered for the use of General Collins in particular, was obtained by several of his Aide-de-Camps, not by the general personally. It is very unlikely that General Collins himself, whose duties undoubtedly kept him busy, had any idea what property was being obtained in his name, nor did he have any knowledge of the origins of the household furnishings that surrounded him. The same is undoubtedly true in the case of Lieutenant General Mark Clark, the USFA commander.<sup>118</sup> Another set of receipts and inventory sheets in the same archival location, largely dating from 1947 and 1948, clearly show that property loaned from the Property Control Warehouse to Generals Clark and Collins and their contemporaries and subordinates, including property from the Hungarian Gold Train, was inventoried, appraised, collected and accounted for, and was then turned over to the Federal Republic of Austria for final disposition according to an agreement between USACA and the Austrian government. The Hungarian Gold Train property did not remain in the permanent possession of the military personnel to which it was loaned. Such allegations have no basis in fact.<sup>119</sup>

Hungarian property in U.S. Army custody was initially treated no differently than property belonging to other European governments. It was guarded, inventoried, when and where possible, and was then turned over to property control officers. When rumors were received from whatever source that items from the Hungarian Gold or Werfen Train,

or other material in the property control warehouse, had been misplaced or stolen, USFA officials investigated. The surviving records contain many references to such actions. In June 1945, for example, a Corporal Vance, the 242<sup>nd</sup> Infantry Regiment S-2 clerk, passed on the message to a Lieutenant Ettinger "that his regiment is to investigate, trace, and pick up the [Hungarian] silver and rugs looted from 28 box cars in Hofgarten [sic] [map location] 3382, with a follow-up report of actions taken."<sup>120</sup> In another case when the Austrian administrator of Schloss Klessheim presented a list of missing items to the Restitution and Reparations Section of the Headquarters of the Military Government of Land Salzburg, the list was passed up the chain of command and efforts were undertaken to find and restore the missing items.<sup>121</sup>

Often U.S. Army soldiers were not dispatched to locations containing valuables quickly enough to prevent theft and looting by a desperate Austrian population, by displaced persons, or could not stop the persistent efforts of numerous individuals determined to steal. In the case of the Hopfgarten train containing property of alleged Hungarian origins discovered in May 1945, subsequent investigations revealed that farmers from the surrounding countryside had opened the cars and plundered them before and supposedly even after U.S. Army personnel arrived, a story corroborated by both railroad workers and local civilians. Although a stronger American guard detail was immediately placed on the train, it was reported that while the soldiers stood guard on one side of the train, looters brazenly and openly plundered the cars from the opposite side. In this case, at least one car containing Persian rugs and silver was empty by the time the train left for the Property Control Warehouse in Salzburg. The railroad men and locals

later questioned about the thefts denied having any knowledge of the property, indignantly claiming "they would not stoop to plundering."<sup>122</sup>

Yet despite such anecdotal failures, the U.S. Army made good faith efforts to track down missing property and to follow up reports of looting and pilfering. On one occasion when "a confidential source" reported that 300 to 400 blankets were removed from German Army Medical Corps stocks in Bad Gastein, a Captain Ames of the 232<sup>nd</sup> Infantry Regiment, 42<sup>nd</sup> Division, was ordered to investigate "who took the blankets so that they can be returned immediately." The captain was further told to warn his guards that the American division hospital officer must authorize all removal of German medical supplies, although they were technically and legally captured enemy materiel subject to USFA use. The subsequent investigation revealed that the 400 blankets were requisitioned for the benefit of Jewish DPs.<sup>123</sup> In yet another case, it was reported in September 1945, "that civilians had taken furniture and rugs from a CEM [captured enemy materiel] Target in a castle formerly used as an SS Training Center near BRUCK," in spite of the fact that the target was being guarded by five enlisted men. It was "requested that info be obtained on whose authority the furniture and rugs were moved" and that results of the investigation be reported.<sup>124</sup> U.S. Army personnel considered all reports of pilfering as equally serious, and did not allow relative value to affect the timeliness or thoroughness of their actions.

When serious reports were received at division headquarters that members of the 232<sup>nd</sup> Infantry Regiment, 42<sup>nd</sup> Division, were looting art treasures at Fischhorn Castle as their tour of guard duty there was ending in September 1945, the response was typically swift. The existing guards at this captured enemy materiel location, formerly one of many

residences used as a loot repository by Nazi Luftwaffe Chief Herman Goering, were immediately replaced by troops of another unit, the 242<sup>nd</sup> Infantry Regiment, and an investigation was launched. As was later reported, the officer in charge talked to both the members of the 232<sup>nd</sup> and 242<sup>nd</sup> Infantry Regiments, bolstered the guard at the castle, and filed a report with his superiors. In addition, as was standard operating procedure whenever troops left a field command for reassignment or transport back to the United States for discharge, this officer reported that "an inspection is being made of all mens' baggage and packages to see that no looting has been taking place." After all was said and done, however, the reports of looting by U.S. service personnel at Fischorn Castle were dismissed as "only a rumor."<sup>125</sup>

While most rumors and allegations of theft and looting involved enlisted men, their superiors were not beyond being held accountable for their actions just by the fact of their higher rank. When general officers left Austria for retirement or assignment elsewhere, hand receipts and requisitions for loaned items were checked to insure the property remained under U.S. Army control. Often, as with other U.S. Government property, items on loan from the property control warehouse, from the Hungarian Gold Train and other like stocks were turned over to the next commander with new requisitions or hand receipts to show the transfer. Discrepancies, lost, destroyed, or damaged items, were promptly noted and investigated, and as appropriate, were located or compensated.<sup>126</sup>

Yet even if service members managed to successfully commit theft and conceal the loot while on overseas duty, the U.S. Army, in conjunction with U.S. Customs officials, had in place certification requirements and an inspection system to prevent unauthorized or

stolen material from entering the United States. Each returning soldier had to have in his possession at the point of embarkation in Europe, and often at the point of debarkation in the United States,

a certificate in duplicate, signed by his superior commissioned officer, and bearing appropriate official theater stamp indicating that the bearer is officially authorized by the theater commander,...to retain as his personal property the articles listed on the certificate. The signed duplicate certificate will be taken up by an officer of the port of embarkation (and a consolidated certificate accomplished) or by the Customs Bureau or military authorities at the port of debarkation. The original will be retained by the bearer.<sup>127</sup>

These authorization certifications also applied to parcels mailed by service personnel from overseas duty stations to the United States through the Army Post Office system. These requirements were in addition to the usual contraband searches routinely conducted upon returning soldiers by military and civilian officials at ports of embarkation and debarkation worldwide. While enterprising thieves could evade these safeguards, which depended on the quality of enforcement by military and non-military agencies, U.S. Army officials did take serious precautions and did implement policies to limit the transport and permanent possession of looted items by service members.

There is one document in surviving records indicating that military officials perhaps did not always perform their custodial duties as effectively or as efficiently as possible. When inquiries were made by the headquarters, Military Government, *Land Salzburg*, regarding possible improprieties concerning the handling and transfer of material from the property control warehouse in July 1947, an extensive investigation was undertaken into practices followed since the end of the war. Eight officers were interviewed and scores of

inventories, memorandums of receipt, and statements were gathered. A final report completed by the investigating officer, Major Cullus M. Mayes, stated that some problems had existed, noting that,

**There has never been a complete inventory made of the Property Control Warehouse, according to information received by the investigating officer. Property in some cases has been moved from one location to another without proper notice being given to the Property Control Office. Property seems to have been drawn and correctly signed for in most cases. The records of M/Rs [memorandums of receipt] and other receipts are badly mixed up while nomenclature is not standard and might cause some property to be mentioned twice.**

**The report suggested that "officers living or having lived in houses containing property from the Property Control Warehouse be held morally responsible for any losses of such property during their occupancy," indicating the typical U.S. Army concern that loaned property be adequately cared for. It was further recommended "that officers having signed M/Rs and leaving on permanent change of station without a proper clearance of such property from the Property Control Warehouse be held financially responsible," indicating that soldiers were going to be held accountable for property in their care and that the Army did not consider such loaned items to be the permanent possessions of the requisitioning soldier.<sup>128</sup> Although this solitary report indicates that improprieties may have existed, it also indicates that standard procedures and legal requirements were fulfilled in most cases. There is little indication that notable amounts of missing or loaned property was stolen by soldiers or that the Army created an atmosphere where such behavior was condoned or was considered proper or allowable conduct. While**

**a few cases may exist of soldiers engaging in looting and pillaging, these cases are the actions of a small minority and do not represent institutionalized behavior.**

## **THE AMERICANS IN AUSTRIA**

**The U.S. military occupation of Austria lasted from May 8, 1945 to October 25, 1955. The Austrians praised U.S. efforts in their country during that time and appeared to like American troops, viewing the USFA as a benevolent factor in their nation's rapid recovery and rehabilitation following the war. Not surprisingly they regarded the American soldiers as the most amiable of all the occupying forces and the ones most favorably disposed to the average Austrian. Such statements are not anecdotal and could be heard throughout Europe in the immediate postwar years, among victor and vanquished alike, with similar statements still being uttered by the wartime generation of Europeans alive today. The reputation of the U.S. Army during World War II as an institution, and the soldier as an individual, has always been good and has assumed nearly legendary status in the half century since the end of the war. Indeed, while the image of the young, smiling soldier handing out chocolate bars to ecstatic children may be a stereotype and overused cliché, the overwhelming amount of evidence, including the perceptions of unbiased Europeans, then and now, supports the fact that the United States and its military were a positive social and economic force. The U.S. Army, and the United States, without regard for personal or national aggrandizement, helped liberate a continent from a monstrous totalitarian evil and stayed long enough afterward to prevent the continent from**



slipping under the control of another equally maleficent evil. The U.S. Army's fine reputation was earned and well-deserved in contrast to that of the other Allied powers, such as the Soviet Union. The words of Austria Foreign Minister Karl Gruber in 1951 summed up the general Austrian attitude and the fundamental difference between the Americans and their one-time Soviet allies. When asked by Soviet Foreign Minister Andrei Vishinsky why he was so overwhelmingly pro-American, Gruber replied "The U.S. practically paid for the new Austria and asked for nothing. You [the Soviets] not only take what does not belong to you, but also try to meddle in our affairs."<sup>129</sup>

The Americans had proven generous and helpful occupiers, breaking the traditional view of military conquerors, by providing tremendous amounts of financial aid to Austria, over \$200 million by just June 1947 alone. In addition, while Austria was required to pay the costs of their own occupation, American demands were far less onerous than those of other occupiers, especially the Soviet Union. In 1945 alone, the Austrian Government paid 10 million schillings to the three Western occupying powers and over 450 million schillings to the Soviet Union. Even more revealing, after July 1947, the United States, unlike any of the other occupying powers, shouldered its own costs of occupation while paying out an additional 308,382,590 Austrian schillings in claims to Austrian nationals.<sup>130</sup> Taken with well-known American postwar programs associated with the reconstruction of Europe, such as the 1947 European Recovery Act or the Marshall Plan, it is inappropriate to accuse the United States, or its Army as an institution, of seeking to enrich themselves at Europe's expense.

As for the American troops, as one historian has written, the Austrians were effusive in their praise of U.S. Army personnel of all ranks. Austrians generally revered General Clark and regretted his departure, and similar sentiments and words of praise were repeatedly and publicly showered on Clark's subordinates by many Austrian government officials. In speaking of American enlisted personnel, however, it has been noted that,

Any occupation force engenders a certain amount of friction and Americans fomented their share of trouble in Austria. Although instances to the contrary probably existed, records showed that Americans involved in altercations with Austrians or Allied forces in Austria, could expect an effort to administer the traditional form of US military and civilian discipline.<sup>131</sup>

An inspection of USFA Provost Marshall General monthly reports through 1948 quickly dispels any allegation that U.S. Army forces in Austria were any less disciplined, any less well-commanded or controlled, or any different than U.S. forces in any other occupation zone or duty station. These records, comparable to monthly civilian police reports, show that U.S. Army soldiers were investigated, arrested, and duly punished for all manner of typical offenses including drunkenness, fighting, robbery, fraternization, and, although rarer, black market dealings in stolen U.S. Government property, currency, and Post Exchange goods. Not a single incident of soldiers stealing or dealing in looted property or Holocaust era assets originating from the Hungarian Gold or Werfen Train is recorded, or reported as being investigated by military police officials. Allegations to the contrary are simply without foundation.<sup>132</sup>

## **SUMMARY AND CONCLUSION**

**The history of the U.S. Army during the occupation of Austria and in the matter of restitution of property looted by Nazi Germany and her Hungarian ally is extraordinary, complex, and convoluted. The story also reflects the many changes taking place in Allied and U.S. attitudes and policies during the postwar reconstruction of war torn, devastated Europe. To properly understand the U.S. Army's role, it is crucial to fully understand the context of the times. If, as noted by scholars and historians of the U.S. military occupation of Austria, "restitution proved to be a minor issue for the American sector," it was because the preservation of life itself was such a much more demanding and immediate task.<sup>133</sup> To the average American officers and enlisted men on occupation duty in Austria, restitution of property was only one of many daily matters with which they had to contend.**

**The allegations made in the October 1999 report released by the Presidential Advisory Commission on Holocaust Assets in the United States are unsupported by the existing published and documentary record. Each allegation can either be disproved or qualified to such a degree by examining the full historical record that they become baseless.**

**In summary, the Report's charge that the United States Forces Austria departed from the "general policy of returning cultural assets to the country of origin" is largely false based on the surviving evidence. The vast majority of monetary and cultural assets clearly identified as being Hungarian in origin were either restored or turned over to a third party by the U.S. Army for restitution by 1948. The fact that materials turned over to Austria by the United States according to postwar agreements may or may not have been**

subsequently restored to Hungary by Austria is immaterial. In addition, U.S. and allied restitution policies, as with occupation policies in general, changed continually during the postwar years. The fact that Hungary was an ex-enemy and fascist nation during the war and soon became a Communist satellite of the USSR, and was therefore an ideological opponent of the United States and its Allies in the "free world," prevented the sort of full cooperation shown to other European nations. Yet in dealing with Hungarian claims, the USFA followed standard operating procedures in the vast majority of cases and dealt with more Hungarian claims than any other European nation.

The Report's charge that the conduct of American forces in occupying Austria was less disciplined than that of the American forces occupying Germany is unequivocally false. Absolutely no evidence exists to support this allegation in the reports of the USFA, U.S. Army Provost Marshall General, U.S. Army Judge Advocate General, U.S. Army Inspector General, or U.S. Army unit records. U.S. Army soldiers in Austria were governed by the same Articles of War, same standards of discipline, command, control, and behavior as U.S. forces anywhere else in the world at the time. There is no distinct or separate standard for troops stationed in one area as opposed to another and allegations that soldiers in Austria were rogues, scoundrels, and thieves is not supported by the surviving documentary record. Such over-simplified and general categorizations are not the recollection of Austrians or Americans present at the time.

The Report's charge that American forces in Austria misappropriated so-called "unidentifiable" property of Hungarian Jews found on the Gold Train is false. As has been clearly shown, U.S. Army personnel were loaned property in a duly authorized and

legal manner. Such property was later accounted for, secured and protected, and returned when claimed by due process. There was no misappropriation. While it is entirely possible that some items from the Hungarian Gold Train were stolen by U.S. Army soldiers whose theft escaped detection, the existing record clearly shows that such pilfering was neither widespread nor sanctioned or condoned by U.S. Army officials or War Department policies. The record does show that when allegations were made, and even when rumors were heard, U.S. Army officials investigated and took corrective action if and when necessary.

The Report's charge that USFA officials refused to allow leaders of the Hungarian Jewish community access to the gold train to identify the property is false. Within weeks of its capture, the Hungarian Gold Train had ceased to exist as an identifiable, distinct entity and its contents were intermingled with other captured enemy materiel in the Military Government Property Control Warehouse in Salzburg. The first claims by alleged Hungarian Jewish committee(s) were not made until months if not years later. In addition, the accepted Allied and USFA restitution policy did not recognize the validity of private claims unless they were made through a restitution body connected with a national government. The USFA, according to this policy, processed more Hungarian claims, resulting in more property and monetary reimbursement to Hungary than any other European nation, save one, by late 1947. If the person, organization, or government making a claim appeared suspect as to ownership, motivations, or intentions, USFA officials, like those of their allies, denied such claims. The Hungarian Restitution Commission spent years in Vienna helping its citizens process the thousands of claims

made on property in USFA possession. Thus, in accordance with practices elsewhere, U.S. officials opted to turn over unclaimed Hungarian Gold Train property to internationally recognized and wholly legitimate refugee and Holocaust survivor assistance organizations. Such actions on the part of the United States and the U.S. Army ensured beyond any doubt that unclaimed property benefited those truly in need and not Communist officials in Hungary or the Soviet Union.

The Report's charge that high-ranking American officials took assets from the Gold Train for their own personal use is over-simplified and highly misleading. As stated, such practice was authorized, legal according to international law and agreements, and was accompanied by a high degree of accountability, more so in the U.S. Army than in any of the other Allied occupation forces in Austria. Such transactions were recorded in detail and soldiers were made accountable for the return of loaned property. There is no evidence, either in the Commission report, or in existing records, to support the idea that this property became the permanent property of those soldiers who duly requisitioned it from the Military Government Property Control Warehouse. Incidents of pilfering and theft are more rumor and myth than fact. Continued claims to the contrary show a lack of understanding of documentary evidence and internationally accepted military procedures and practices.

The Report's charge that assets from the gold train were sold through the Army Exchange is unproven by the existing documentary record. While documents exist to show that this possibility was considered, there is no set of records to show that such sales actually took place. If in fact such sales took place, it also appears that the developing

U.S. Army policy was that proceeds from these sales of unidentified and unclaimed properties of unknown origins, would have gone into accounts used to assist refugees and Holocaust victims administered by United Nations-sponsored refugee organizations. They did not go into the pockets of U.S. Army soldiers, or to Austrians prior to 1948, or as Communist propaganda of the time alleged, to Hungarian Nazis.

The Report's charge that assets from the Gold Train were stolen outright is absolutely false. No documentary evidence supports this allegation that American soldiers were guilty of any such theft at any period between the acquisition of the Hungarian Gold Train in May 1945 until the final remnants were turned over to the Austrian government in mid-1948. Significant evidence does suggest that the contents of the Hungarian Gold Train were looted by displaced persons, by Austrian civilians, by German troops, prisoners of war and disarmed enemy personnel, by Hungarian soldiers entrusted with the security of the train, and by the very Hungarian fascist officials and government members who put the train together in the first place. If theft occurred, it was not at the hands of U.S. Army soldiers, who, in accordance with their orders, did everything possible under the very trying circumstances at the time to do their duty and protect property that was not their own.<sup>134</sup>

## Endnotes

1. See *Preliminary Study on U.S. and Allied Efforts to Recover and Restore Gold and Other Assets Stolen or Hidden by Germany During World War II*, Coordinated by Stuart E. Eizenstat, Under Secretary of State for Economic, Business, and Agricultural Affairs, and prepared by William Slany, The Historian, Department of State, May 1997. The author was a member of the Department of Defense research team, which assisted in the creation of this report. This initial work was followed by a similarly well-researched scholarly report in June 1998 entitled *U.S. and Allied Wartime and Postwar Relations and Negotiations With Argentina, Portugal, Spain, Sweden, and Turkey on Looted Gold and German External Assets and U.S. Concerns About the Fate of the Wartime Ustasha Treasury*. For a sober, well-researched, and critically well-received history by an individual historian, see Lynn H. Nicholas, *The Rape of Europa: The Fate of Europe's Treasures in the Third Reich and the Second World War* (New York: Alfred A. Knopf, 1994).
2. Quotations from Presidential Advisory Commission Report on Holocaust Era Assets in the United States, "Progress Report On: The Mystery of the Hungarian Gold Train," 14 October 1999, p. 2.
3. "U.S. Forces Captured a Nazi 'Gold Train' and Later Looted Valuables," by Tim Golden, *New York Times*, 15 October 1999, p. 1, and "Tarnished Gold; U.S. Report Says GI's Liberated, Then Looted, Nazi Trains Carrying Assets of Hungarian Jews," by Michael Dobbs, *Washington Post*, 15 October 1999, and "Hungarian Jews Seek Return of War Loot," *Washington Post*, 16 October 1999.
4. David W. Ellwood, *Rebuilding Europe: Western Europe, America, and Postwar Reconstruction* (New York: Longman, 1992), p. 62.
5. United States Strategic Bombing Survey, *Summary Report (European War)* (Washington, D.C.: Government Printing Office, 30 September 1945), pp. 1, 15.
6. United States Strategic Bombing Survey, *Over-All Report (European War)* (Washington, D.C.: Government Printing Office, 30 September 1945), pp. 72-73, 91.
7. Quotation from United States Allied Commission Austria, *The Rehabilitation of Austria, 1945-1947*. 3 volumes (Vienna, Austria: United States Allied Commission Austria, ca. 1948): 2:93. Hereafter cited as *USACA, Rehabilitation Austria*.
8. Quotation from *USACA, Rehabilitation Austria*, 2:93.
9. Quotation from *USACA, Rehabilitation Austria*, 3:38; see also 3:37 and Table No. 24, 3:137.



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10. USACA, *Rehabilitation Austria*, 3:41, 3:48, 3:50, 3:51.
  11. Barbara Jelavich, *Modern Austria: Empire and Republic, 1815-1986* (Cambridge: Cambridge University Press, 1988), p. 262. In addition to 47,000 American military personnel, Austria was occupied by 40,000 French troops, 65,000 British soldiers, and 200,000 troops of the Soviet Red Army.
  12. USACA, *Rehabilitation Austria*, 2:220.
  13. USACA, *Rehabilitation Austria*, 3:84.
  14. For the tremendous difficulties encountered and overcome by U.S. Army personnel in just providing sufficient food to keep the populations of Europe and Austria alive, see Ellwood, *Rebuilding Europe*, p. 34; and USACA, *Rehabilitation Austria*, 2:23-25. Nutritional standards and daily caloric intake in Austria, in spite of all U.S. Army and Austrian government efforts, did not reach prewar levels even as late as September 1948, although rationing ceased at the end of that year, see Jelavich, *Modern Austria*, pp. 254-55.
  15. Quotation from *USACA, Rehabilitation Austria*, 3:84.
  16. Quotation from *USACA, Rehabilitation Austria*, 3:85; see also 3:89 and Table No. 57.
  17. Some of these needs were met by using articles of unidentified clothing of unknown ownership and origins discovered on the Hungarian Gold Train, the subject of the Presidential Advisory Commission report. The Hungarian Gold train quickly became known as the Werfen train, named after the siding where it was sent by U.S. forces in the village of the same. As will be seen, such actions by U.S. Army personnel were not only prudent, but legal and in keeping with U.S. and Allied policy concerning the disposition of such material. See, Memo, 1<sup>st</sup> Lt. Walker M. Treece to CO, Military Government Detachment E1B, Salzburg, Attention: Property Control Officer, SUBJECT: Disposal of Clothing to Needy Cases, 14 March 1946; and Maj. C. R. Agnew, Jr., Property Control Officer, to Maj. Kontz, Chief Property Control Branch, Reparations, Deliveries and Restitution Division, Headquarters, U.S. Forces in Austria, 5 March 1946, SUBJECT: Werfen Train Clothing, both in File: S4.8007Sa, Box 20, Records of Property Claims Released, Salzburg, Record Group 260, Records of U.S. Occupation Forces World War II, USFA, USACA Section, Reparations, Restitutions, and Deliveries Division, Property Control Branch, National Archives and Records Administration, Washington, D.C., hereafter cited as RG 260, NARA.
  18. See Administrative Instructions No. 61, Headquarters, U.S. 42<sup>nd</sup> Infantry Division, 8 November 1945, Subject: Requisition, Procurement, Warehousing, Distribution of, and Accounting for, Other than Government Issue Property, File 342-4.12 Administrative Instructions - Occupation of Austria - 42<sup>nd</sup> Infantry Division, 8 May 1945 - 27 February 1946, Box 10671, Entry 427, World War II Operations Reports, 42<sup>nd</sup> Infantry Division, Record Group

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94/407, Records of the Office of the Adjutant-General, U.S. Army, NARA.

19. Quotation from USACA, *Rehabilitation Austria*, p. 3:85. Difficulties relating to DPs were not just a USFA dilemma, but were shared by U.S. forces in Germany as well, see Charles B. MacDonald, *The Last Offensive* (Washington, D.C.: Office of the Chief of Military History, United States Army, 1973), pp. 262, 331, 366.

20. Quotation from Journal Entry No. 53, G-3 Journal, 42<sup>nd</sup> Inf. Div., 190001B To 192400B, July 1945; see also Journal Entries 35, 50, 51, 52, 53, and 54, all in File 342-3.2, Box 10668, Entry 427, RG 94/407, NARA.

21. See G-3 Journal, 42<sup>nd</sup> Inf. Div, 020001B To 022400B, Aug. 45, Journal Entry No. 18, which contains reports of looting by Polish DPs, while G-3 Journal, 270001A to 272400A, Nov. 45, Journal Entry No. 9, contains a report that "There is a trainload of Hungarian DPs in the [train] yards. They are pilfering loaded cars standing in the yards." The report was followed by the order to "send some MP's down," see File 342.2, Box 10668, Entry 427, RG 407/94, NARA.

22. Quotation from G-3 Journal, 42<sup>nd</sup> Inf. Div., 02000A To 022400A, Nov. 45, Journal Entry No. 12, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA. One soldier with experience of the Austria occupation has stated that because DPs were often clothed in surplus or discarded U.S. Army uniforms, being the only clothing widely and generally available, DPs crimes were often reported by witnesses as having been committed by U.S. Army soldiers, a similar reference is made in MacDonald, *The Last Offensive*, p. 331.

23. Capt. Healy, Div. Arty, to Capt. Patterson, G-3 Journal, 42<sup>nd</sup> Inf. Div., 160001A To 162400A, March 46, Journal Entry No. 9, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

24. See, for example, G-3 Journal, 42<sup>nd</sup> Inf. Div., 100001B To 102400B, Sept. 45, Journal Entry No. 2, and 080001B To 082400B, Sept. 45, Journal Entry No. 14, File 342-3.2, Box 10668, Entry 427, RG 94/407, NARA.

25. Henry Steele Commager, ed. *Documents of American History*, 8<sup>th</sup> ed., Doc. No. 551, Moscow Conference, 1943, Dept. of State Bulletin, Vol. IX, pp. 307 ff.

26. Donald R. Whitnah and Florentine E. Whitnah, *Salzburg Under Siege: U.S. Occupation, 1945-1955* (Westport, Ct.: Greenwood Press, 1991), p. 123.

27. 61 Stat. 2679; Treaties and Other International Acts Series 1600 in Charles I. Bevan, comp., *Treaties and Other International Agreements of the United States of America, 1776-1949*, 3:1201-1203.

28. USACA, *Rehabilitation Austria*, 2:Figure II.

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29. Although civil departments were being reestablished from the outset, the first formal Austrian Provisional Government was only officially recognized by the four allied powers in early January 1946.

30. This included, among others, elements of the 15<sup>th</sup> and 12<sup>th</sup> Army Groups, the 3<sup>rd</sup>, 7<sup>th</sup>, and 5<sup>th</sup> U.S. Armies, the XV U.S. Corps, the 101<sup>st</sup> Airborne Division, the 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup>, and 20<sup>th</sup> Armored Divisions, the 3<sup>rd</sup>, 36<sup>th</sup>, 42<sup>nd</sup>, 44<sup>th</sup>, 65<sup>th</sup>, 71<sup>st</sup>, 80<sup>th</sup>, 86<sup>th</sup>, and 103<sup>rd</sup> Infantry Divisions, the 3<sup>rd</sup>, 101<sup>st</sup>, 106<sup>th</sup>, 115<sup>th</sup> Cavalry Groups, the 5<sup>th</sup> Tank Destroyer Group, the 36<sup>th</sup>, 144<sup>th</sup>, 173<sup>rd</sup>, 194<sup>th</sup>, and 208<sup>th</sup> Field Artillery Groups, and the 23<sup>rd</sup> and 112<sup>th</sup> Antiaircraft Artillery Groups. Also see Whitnah, *Salzburg Under Siege*, p. 106.

31. Ibid., pp. 90, 123.

32. Ibid., p. 123. Although originally thought to be a victim of Nazi aggression, the Allies determined that Austria would also need to undergo denazification, like Germany to the north. This task was turned over to the Austrian Federal Government in February 1946, but as late as March 1947 USFA military personnel were still maintaining custody of 8,500 Nazis at Camp Marcus W. Orr in Austria, see Whitnah, *Salzburg Under Siege*, pp. 126, 127.

33. Supreme Headquarters Allied Expeditionary Forces, *Provisional Handbook for Military Government in Austria*, n.p., April 1945.

34. For the sorting and assignment process, see G-3 Journal, 42<sup>nd</sup> Inf. Div., 050001B To 052400B, June 1945, Journal Entry No. 51, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

35. *USACA, Rehabilitation of Austria*, 2:93. For a statistical breakdown of estimated war damage to housing and reconstruction in Austria compiled by the Federal Ministry for Trade and Reconstruction, see 2:220, Table No. 94.

36. G-3 Journal, 42<sup>nd</sup> Inf. Div., 110001B To 112400B, July 1945, Journal Entries Nos. 51-55, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

37. Article 52 quoted from Hague Convention No. IV, Respecting the Laws and Customs of War on Land, 18 October 1907 (36 Stat. 2277; Treaty Series No. 539, Malloy Treaties, Vol. II, p. 2269).

38. For policies and legal authorizations governing the requisitioning of private housing for the use of occupation forces, see SHAEF, *Provisional Handbook for Military Government in Austria*, April 1945, pp. 178-206, see also TWX Comdg. General, USFET to Comdg. General USFA, G-3 Journal, 42<sup>nd</sup> Inf. Div., 140001B To 142400B, May 46, Journal Entry No. 2, File 342-3.2, Box 10669, Entry 427, RG 407/94, NARA.

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39. Quotation from *USACA, Rehabilitation of Austria*, 2:94, see also Donald R. Whitnah and Edgar L. Erickson, *The American Occupation of Austria: Planning and Early Years* (Westport, Ct.: Greenwood Press, 1985), p. 245.

40. See G-3 Journal, 42<sup>nd</sup> Inf. Div., 270001A To 272400A, Nov. 45, Journal Entry No. 7, and G-3 Journal, 42<sup>nd</sup> Inf. Div., 010001B To 012400B, May 46, Journal Entry No. 3, both File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

41. Lt. Cates to Capt. Spicer, Salzburg REO, G-3 Journal, 42<sup>nd</sup> Inf. Div., 180001A To 182400, Apr. 46, Journal Entry No. 4, File 342-3.2, Box 10668, Entry 427, RG 407/94, and also see 9-page inventory by Capt. D. J. Wickland, Asst. Adj. General, to Commanding General Zone Command Austria, 28 March 1947, Subject: Transfer of Accountability and Responsibility of Property Released by the Property Control Warehouse, Salzburg, File S4.8007 Sa/2, Box 20, and Memo and list of items by real estate number, Vernon R. Kennedy to Area Engineer, 22 July 1948, Subject: Property Accountability [items at Villa Warsberg and 26 Brunnhausstrasse], File #22, Box 4, RG 260, all NARA.

42. These dwellings included the city hall, two castles (Schloss Klessheim and Schloss Warsberg), two villas (at Maria Theresa Schloessl, and at No. 24 Brunnhausstrasse, both near Schloss Warsberg), a guardroom at No. 26-28 Brunnerstrasse, Salzburg, and a private railway car.

43. Letter, Brig. Gen. W. C. McMahon, USFA, to Maj. Gen. Collins, 42<sup>nd</sup> Inf. Div., G-3 Journal, 42<sup>nd</sup> Inf. Div., 130001B To 132400B, May 46, Journal Entry No. 2, File 342-3.2, Box 10669, Entry 427, RG 407/94, NARA.

44. See Administrative Instructions No. 61, Headquarters 42<sup>nd</sup> Inf. Div., 8 November 1945, Subject: Requisition, Procurement, Warehousing, Distribution of and Accounting for Other than Government Issue Property, File 342-4.12: Administrative Instructions -- Occupation of Austria - 42<sup>nd</sup> Infantry Division, 8 May 1945 - 27 February 1946, Box 10671, Entry 427, RG 407/94, NARA.

45. Quotation from Capt. Phillips to Lt. Bunch, 232<sup>nd</sup> Inf., Lt. Biondi, Div. Arty, and Capt. Nielson, 36<sup>th</sup> Engr., S-3 Journal, 42<sup>nd</sup> Inf. Div., 010001B To 012400B, May 46, Journal Entry No. 8; see also Capt. Veto, CO, Co. A, 92<sup>nd</sup> Sig. Co., to Lt. Cates; Lt. Cates to Capt. Spicer, City REO; Lt. Cates to Lt. Cowling; Lt. Cates to Lt. Rivasi, City REO; and Lt. Cates to Lt. Yatsko, 232<sup>nd</sup> F.A. Bn. REO, all in G-3 Journal, 42<sup>nd</sup> Inf. Div., 220001A To 222400A, March 46, Journal Entries Nos. 2, 3, 4, and 5; and Lt. Cook, Div. Arty REO to Lt. Cates; and Lt. Cates, Div. REO, to Lt. Bunch, 232<sup>nd</sup> Inf. REO, G-3 Journal, 42<sup>nd</sup> Inf. Div., 010001B To 012400B, May 46, Journal Entries No. 10 and 11; all in File 342-3.2, Box 10669, Entry 427, RG 407/94, NARA.

46. For numerous examples of such receipts from 1945 through 1948, including those for materials requisitioned from the Property Control Warehouse that originated with the Werfen

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train, see File S4.8007Sa, Box 20, RG 260, Records of U.S. Occupation Forces, World War II, USFA-USACA Property Control Office, Claims and Restitution, NARA. In particular, see Memo and two-page report, listing date of loan, item loaned, where item was currently in use, and who signed the hand receipt, by Capt. Howard A. Mackenzie to Reparations, Deliveries, and Restitution Division, Headquarters, USFA, 16 July 1946, Subject: Werfen Train Materials, Ser. No. S4.8007 Sa, in File S4.8007 Sa, and Memo, Maj. John T. Kontz, Chief Property Control Branch, to Commanding General, Military Government Detachment E1B, Salzburg, 21 May 1946, Subject: Requisitioning Property from the Hungarian Werfen Train, File S4.8007 Sa/2, all Box 20, RG 260, NARA. For the order requiring that all items of household furnishings that have been released from the Military Government Warehouse for use by general officers be properly accounted for through a Property Control Officer on an official requisition form, see Memo, 1<sup>st</sup> Lt. Walker M. Treece, Chief Property Control Branch to Commanding Officer, Military Government Detachment E1B, Salzburg, 18 March 1946, Subject: Property Released from Military Government Warehouse on Hand Receipt, File S4.8007 Sa/2, Box 20, RG 260, NARA.

47. See requisition and inventory forms, File S4.8007Sa, Box 20, RG 260, NARA.

48. For Article 47 quotation, see Hague Convention No. IV, Respecting the Laws and Customs of War on Land, 18 October 1907 (36 Stat. 2277; Treaty Series No. 539, Malloy Treaties, Vol. II, p. 2269); For the 80<sup>th</sup> Article of War quotation see, War Department Circular No. 155, 28 May 1945, para. IVc, *War Department General Orders and Circulars* (Washington, D.C.: Government Printing Office, 1945).

49. Quotations from Capt. Phillips to Capt. Ames, S-3 232<sup>nd</sup> Inf., and Capt. Healy, S-3 Div. Arty, G-3 Journal, 42<sup>nd</sup> Inf. Div., 300001A to 302400, Apr. 46, Journal Entry No. 4; and Capt. Phillips to Col. Bolduc, 232<sup>nd</sup> Inf. Exec., 260001B To 262400B, Apr. 46, Journal Entry No. 4, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA;

50. First and second quotations from Maj. Bangert, CO, 2<sup>nd</sup> Bn., 222<sup>nd</sup> Inf., to Capt. Smith, G-3 Journal, 42<sup>nd</sup> Inf. Div., 090001A To 092400A, Feb. 46; third quotation from Lt. Cates to Lt. Bunch, Asst. S-3, 232<sup>nd</sup> Inf. Div., Capt. Phillips to Capt. Ames, S-3 232<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 1500001A To 152400A, Feb. 46, Journal Entry No. 8, all File 342-3.2, Box 10669, Entry 427, RG 407/94, NARA.

51. Quotation from Lt. Cates to Lt. Bunch, Asst. S-3, 232<sup>nd</sup> Inf., G-3 Journal 42<sup>nd</sup> Inf. Div., 1500001A To 152400A, Feb. 46, Journal Entry No. 8, File 342-3.2, Box 10669, Entry 427, RG 407/94, NARA, see also Whitnah, *American Occupation*, p. 246.

52. Articles 52 and 53 quoted from Hague Convention No. IV, Respecting the Laws and Customs of War on Land, 18 October 1907 (36 Stat. 2277; Treaty Series No. 539, Malloy

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Treaties, Vol. II, p. 2269).

53. For the 79<sup>th</sup> Article of War see, War Department Circular No. 155, 28 May 1945, para IVb, *War Department General Orders and Circulars* (Washington, D.C.: Government Printing Office 1945).

54. Quotations from Administrative Instructions No. 61, Headquarters, 42<sup>nd</sup> Infantry Division, 8 November 1945, Subject: Requisition, Procurement, Warehousing, Distribution of and Accounting for Other than Government Issue Property, File 342-4.12, Administrative Instructions -- Occupation of Austria - 42<sup>nd</sup> Infantry Division, 8 May 1945 - 27 February 1946, Box 10671, RG 407/94, NARA.

55. For references to CEM targets and the security measures taken to protect and care for them, see Lt. McCarthy to Lt. Bagley, Div. CEM Officer, G-3 Journal, 42<sup>nd</sup> Inf. Div., 030001A To 032400A, Oct. 45, Journal Entry No. 17, and 030001B to 032400B, June 1945, Journal Entry No. 7; for CEM 67, see Capt. Livingston, XXI Corps Arty, to Lt. Patterson, 100001B To 102400B, Sept. 45, Journal Entry No. 5, all in File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

56. Quotation from Capt. Livingston, XXI Corps Arty, to Lt. Patterson, G-3 Journal, 42<sup>nd</sup> Inf. Div., 100001B To 102400B, Sept. 45, Journal Entry No. 5, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

57. See G-3 Journal, 42<sup>nd</sup> Inf. Div., 120001B To 122400B, June 1945, Journal Entries Nos. 33, 35, and 36, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

58. Allegations that portions of this loot were missing were promptly investigated by U.S. Army Criminal Investigation Division officials, see G-3 Journal, 42<sup>nd</sup> Inf. Div., 040001B To 042400B, June 45, Journal Entries No. 23, 24, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

59. G-3 Journal, 42<sup>nd</sup> Inf. Div., 150001B To 152400B, July 1945, Journal Entry Nos. 39, 43, 44, and 47, and 120001B to 122400B, Journal Entry Nos. 20, and 21-55, inclusive, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

60. G-3 Journal, 42<sup>nd</sup> Inf. Div., 100001B To 102400B, July 1945, Journal Entry No. 26, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

61. G-3 Journal, 42<sup>nd</sup> Inf. Div., 270001A To 272400A, Nov. 45, Journal Entry No. 5, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA, deals specifically with an order from the Monuments and Fine Arts section of USACA to remove guards from target 406, Schloss Lichtenberg, near Saalfelden, that has been cleared of its contents.

62. Lt. Hurlbutt, 242<sup>nd</sup> Inf., to Lt. McCarthy, G-3 Journal, 42<sup>nd</sup> Inf. Div., 020001A To 022400A, Oct. 45, Journal Entry No. 6, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

Fischhorn Castle had been a residence of former Nazi Luftwaffe Chief Herman Goering, whose wartime looting activities had already reached legendary proportions by 1945, see Whitnah, *Salzburg Under Siege*, p. 46.

63. Lt. McCarthy to Sgt. Rutledge, 2<sup>nd</sup> Bn., 222<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 030001A To 032400A, Oct. 45, Journal Entry No. 19, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

64. Lt. Steers, 232<sup>nd</sup> Inf., to Lt. Patterson, and Lt. Patterson to Lt. White, Fine Arts Section, USFA G-5 (Vienna), G-3 Journal, 42<sup>nd</sup> Inf. Div., 180001A To 182400A, Sept. 45, Journal Entry Nos. 12, 18, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

65. Pfc. Pylman, 2<sup>nd</sup> Bn. 222<sup>nd</sup> Inf., to Lt. Patterson, G-3 Journal, 42<sup>nd</sup> Inf. Div., 310001A To 312400A, Oct. 45, Journal Entry No. 3, 18, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

66. Stephen R. Burant, ed. *Hungary: A Country Study* (Washington, D.C.: Library of Congress, Federal Research Division, 1990), p. 44.

67. *Ibid.*, p. 45-46.

68. See R. Cody Phillips, "Hungarian Gold Train," and "The U ~ unpublished information papers, U.S. Army Center of Military History, 1997, respectively, and Report, Capt. John F. Beck, to AC o. 1945, Subject: Report on the "Werfen Train," File S4.8007 Sa/1 hereafter cited as Beck Report, NARA. The Soviet Red Army was uncontrolled pillaging and looting. Individual soldiers, and the Soviet official policy, engaged in widespread sacking and the removal of all descriptions from the areas they conquered and occupied. Red of mass rapes, massacres, and other atrocities committed upon German populations on a tremendous scale, many documented in detail by Alfred M. de Zayas, *The Wehrmacht War Crimes Bureau, 1939-1945* (Lincoln: University of Nebraska Press, 1979).

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69. Report, Capt. Howard A. MacKenzie, Property Control Officer 7753 Military Government Detachment, 17 July 1947, File S4.8007 MacKenzie Report, NARA, see also Beck Report, both in Box 20, RG 260, NARA.

70. First quotation from "Treasures, Gems of Hungary Seized," by Richard J. H. Johnson, *New York Times*, 18 May 1945, p. 6; second quotation from Beck Report, NARA, see also Report, 1<sup>st</sup> Lt. J. A. Mercer, to CG, 3<sup>rd</sup> Infantry Division, 16 May 1945, Subject: Hungarian Train Bearing

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62. Lt. Hurlbutt, 242<sup>nd</sup> Inf., to Lt. McCarthy, G-3 Journal, 42<sup>nd</sup> Inf. Div., 020001A To 022400A, Oct. 45, Journal Entry No. 6, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

Fischhorn Castle had been a residence of former Nazi Luftwaffe Chief Herman Goering, whose wartime looting activities had already reached legendary proportions by 1945, see Whitnah, *Salzburg Under Siege*, p. 46.

63. Lt. McCarthy to Sgt. Rutledge, 2<sup>nd</sup> Bn., 222<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 030001A To 032400A, Oct. 45, Journal Entry No. 19, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

64. Lt. Steers, 232<sup>nd</sup> Inf., to Lt. Patterson, and Lt. Patterson to Lt. White, Fine Arts Section, USFA G-5 (Vienna), G-3 Journal, 42<sup>nd</sup> Inf. Div., 180001A To 182400A, Sept. 45, Journal Entry Nos. 12, 18, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

65. Pfc. Pylman, 2<sup>nd</sup> Bn. 222<sup>nd</sup> Inf., to Lt. Patterson, G-3 Journal, 42<sup>nd</sup> Inf. Div., 310001A To 312400A, Oct. 45, Journal Entry No. 3, 18, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

66. Stephen R. Burant, ed., *Hungary: A Country Study* (Washington, D.C.: Library of Congress, Federal Research Division, 1990), p. 44.

67. *Ibid.*, p. 45-46.

68. See R. Cody Phillips, "Hungarian Gold Train," and "The U.S. Army and Hungarian Gold," unpublished information papers, U.S. Army Center of Military History, Washington, D.C., 1999 and 1997, respectively, and Report, Capt. John F. Beck, to AC of S, G-2, USFA, 17 September 1945, Subject: Report on the "Werfen Train," File S4.8007 Sa/1, Box 20, RG 260, NARA; hereafter cited as Beck Report, NARA. The Soviet Red Army was well known for massive and uncontrolled pillaging and looting. Individual soldiers, and the Soviet government itself as official policy, engaged in widespread sacking and the removal of private and public valuables of all descriptions from the areas they conquered and occupied. Red Army troops were also guilty of mass rapes, massacres, and other atrocities committed upon German military and civilian populations on a tremendous scale, many documented in detail by the German government, see Alfred M. de Zayas, *The Wehrmacht War Crimes Bureau, 1939-1945* (Lincoln, Neb.: University of Nebraska Press, 1979).

69. Report, Capt. Howard A. MacKenzie, Property Control Officer, to Commanding Officer, 7753 Military Government Detachment, 17 July 1947, File S4.8007 Sa/2; hereafter cited as MacKenzie Report, NARA, see also Beck Report, both in Box 20, RG 260, NARA.

70. First quotation from "Treasures, Gems of Hungary Seized," by Richard J. H. Johnson, *New York Times*, 18 May 1945, p. 6; second quotation from Beck Report, NARA, see also Report, 1<sup>st</sup> Lt. J. A. Mercer, to CG, 3<sup>rd</sup> Infantry Division, 16 May 1945, Subject: Hungarian Train Bearing



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Civilians, File S4.8007 Sa/1, both in Box 20, RG 260, NARA.

71. Quotation from Beck Report, NARA, see also Memo, Maj. F. D. Gallagher to Commanding General, XV Corps, for G-5, 21 May 1945, Subject: Property Control, both in File S4.8007 Sa/1, Box 20, and Col. John M. Pesek To WAR FORE WARCOS, Ref. W 89481, 29 May 1946, File S4.8007, all Box 20, RG 260, NARA. Both the 3<sup>rd</sup> Infantry Division and the 1<sup>st</sup> Battalion, 327<sup>th</sup> Glider Infantry [part of the 101<sup>st</sup> Airborne Division] were in 3<sup>rd</sup> Army, which was a part of the 12<sup>th</sup> Army Group, whose troops were not to be part of United States Forces Austria. The 3<sup>rd</sup> Infantry Division was being relocated within Germany and some units from the 101<sup>st</sup>, such as the 327<sup>th</sup> Glider Infantry, were far beyond their authorized area of operations.

72. Beck Report, NARA, and Memo, Caffery, Paris, to SECSTATE, 3 July 1946, File S4.8007, both in Box 20, RG 260, NARA.

73. Beck Report, NARA; see also "Treasures, Gems of Hungary Seized," *New York Times*, 18 May 1945, p. 6.

74. For further train contents, see G-3 Journal, 42<sup>nd</sup> Inf. Div., 010001B To 012400B, June 45, Journal Entries No. 60, and 63, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

75. Beck Report, NARA.

76. Report, Capt. Howard A. MacKenzie, Property Control Officer, to Commanding Officer, 7753 Military Government Detachment, 17 July 1947, File S4.8007 Sa/2, Box 20, RG 260, NARA; hereafter cited as MacKenzie Report, NARA.

77. Memo, Lt. Col. Homer K. Heller, Property Control Officer, Military Government, *Land Salzburg*, to Commanding General, Military Government, *Land Salzburg*, 31 July 1945, File S4.8007-Sa, Box 20, RG 260, NARA.

78. Quotation from MacKenzie Report, see also Memo, Caffery, Paris, to SECSTATE, 3 July 1946, File S4.8007, Box 20, RG 260, NARA.

79. Quotations from Col. John M. Pesek To WAR FOR WARCOS, Ref. W 89481, 29 May 1946, File S4.8007; see also Report, Maj. C. R. Agnew, Property Control Officer, to Office of the Chief Military Government Officer, Zone Command, Austria, 23 March 1946, Subject: Status of Household Furnishing, Chinaware and Silverware in the Property Control Warehouse, File S4.8007 Sa/2, both Box 20, RG 260, NARA

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80. Quotation from MacKenzie Report. See also Requisition Receipt, Sheet Reference No. 231102, 23 November 1945, signed by 1<sup>st</sup> Lt. Kenneth P. Fischer, dated 16 May 1946, File S4.8007 Sa/2, Box 20, RG 260, NARA. This particular requisition receipt is specifically for Hungarian train material, including 1 set dishes and 1 set glassware, for the villa of General Tate at 49 Himel Strasse, Vienna 19.

81. Quotations from MacKenzie Report; see also Memo, Maj. John T. Kontz, Chief Property Control Branch, to Commanding Officer 42<sup>nd</sup> Infantry Division Q.M. Co., 14 June 1946, Subject: Requisition for materials from "Hungarian Werfen Train," File S4.8007 Sa, both in Box 20, RG 260, NARA.

82. Quotation from MacKenzie Report, NARA, see also Memo, Maj. John T. Kontz, Chief, Property Control Branch, to Commanding Officer, Military Government Detachment, E1B, Salzburg, 8 June 1946, Subject: Werfen Train Materials, File S4.8007 Sa, Box 20, RG 260, NARA.

83. Memo, Hume, OCMGO, Zone Command, Austria, to USACA, RD&R Divisions, ATT: Property Control Branch, Message S-2335, 2 May 1946, File S4.8007 Sa, Box 20, RG 260, NARA.

84. See R. Cody Phillips, "Hungarian Gold Train," unpublished information paper, U.S. Army Center of Military History, Washington, D.C., 1999.

85. Statement regarding the return of Hungarian gold from Schoenfeld, Budapest, To Dept., 7 August 1946, No: 230, File: Hungarian Property in Austria, June 1946-Nov. 46, Box 21, RG 260, NARA; see also R. Cody Phillips, "Hungarian Gold Train," unpublished information paper, U.S. Army Center of Military History, Washington, D.C., 1999.

86. The silver and art objects described in the New York Times article entitled "U.S. Returning Hungarian Assets," 22 April 1947, were initially seized by German forces but were then captured by U.S. Ninth Army forces near Magdeburg, Germany in 1945. Although not a part of the Hungarian Gold train loot, this restoration indicates that U.S. forces were returning Hungarian assets on a continuing basis from all over Europe.

87. Quotation from signed receipt, Vernon R. Kennedy, Chief, Property Control and Restitution Branch, to Josef Reith, Austrian Federal Minister for Property Control and Economic Planning, 5 January 1949, see also Memo, PC&R File #413, to Commanding General, USFA, 7 January 1949, and enclosures including 3 receipts dated 5 January 1949 and 1 list of 1,175 paintings, with inventory and description in English and German, given to Josef Reith, representing the Austrian Federal Republic, and Memo, James A. Garrison, Chief, RD&R Division to Ministerialrat Reith, 23 March 1949, and signed receipts by Vernon R. Kennedy and Dr. Erika Kirchner, 9 June 1949, and Schedule AA@ inventory of restored property, all in File #23, see also Memo, James A.

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Garrison, Chief, RD&R Division to Josef Reith, 21 March 1949, File #22, all Box 4, RG 260, NARA.

88. *USACA, Rehabilitation of Austria*, 3:65.

89. See Memo, James A. Garrison, Chief, RD&R Division to Otto Demus, 28 October 1948, File #23, Box 4, RG 260, NARA.

90. See, for example, Report, 1<sup>st</sup> Lt. J. V. Schulte, to Property Control Branch, Reparations, Deliveries and Restitution Division, USACA Section, USFA, 18 February 1948, Subject: Release of Personal Property of Nikolaus von Czillaghy ex "Werfen Train," File S4.8007/3, and USFA Message Form, R. W. Broedlow, RD&R Div., USACA, to OSCAD, July 1948, regarding sixty cases of Jewish religious items found on the Werfen train, File S4.8007, all Box 20, RG 260 NARA.

91. Other nations making claims to USFA/USACA property restitution officials included Czechoslovakia, France, Yugoslavia, the Netherlands, Austria, and the USSR. See *USACA, Rehabilitation of Austria*, figures 23 and 34, 3:68, 3:69, respectively, and Tables 51, 55 and 56, 3:151, 3:152 and 3:153, respectively. See also listing of 625 individual Hungarian claims in the finding aid to Record Group 260, NARA, listing claim number, applicable lists of records on the claim, the name of the owner, a description of the property and its location, and remarks concerning the claim or restitution.

92. Memo, Caffery, Paris, to Secstate, 3 July 1946, File S4.8007, Box 20, and War, State, and Navy Departments to USFET for Gen McNarney, Office of the Military Government, U.S. for Gen. Clay, USFA for Gen. Clark, Ref No. WARX 91471, 16 June 1946, Box 21, File: Hungarian Property in Austria, June 1946 - Nov. 1946, both in RG 260, NARA. See also *USACA, Rehabilitation Austria*, 3:65.

93. Quotation from Informal Routing Slip, signed by Col. C. L. Boyle, General Tate and General McMahon, n.d., and Buck slip signed Col. C. L. Boyle, 5 June 1946, both in File S4.8007 Sa, Box 20, RG 260, NARA.

94. Quotations from War, State, and Navy Departments to USFET for Gen. McNarney, Office of the Military Government U.S. for Gen. Clay, USFA for Gen. Clark, Ref. No. WARX 91471, 16 June 1946, Box 21, File Hungarian Property in Austria, June 1946 - Nov. 1946, RG 260, NARA.

95. Leni Yahil, *The Holocaust: The Fate of European Jewry, 1932-1945* (New York: Oxford University Press, 1990), pp. 348-349, 506. Historian Martin Gilbert, in *Auschwitz and the Allies* (New York: Holt, Rinehart, and Winston, 1981) gives a similar figure of approximately 750,000

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Jews in Hungary as of January 1944, see p. 175.

96. Yahil, *Holocaust*, pp. 504, 506.

97. *Ibid.*, pp. 504, 506, 519.

98. Yahil, *Holocaust*, pp. 510-511, Gilbert, *Auschwitz*, p. 244, 245, 251 n3.

99. Yahil, *Holocaust*, p. 519, Gilbert, *Auschwitz*, p. 326.

100. Quotations from Memo, Joint Chiefs of Staff, State, War, Navy Departments to CG USFET, CG, USFA, Ref. No. WARX 85682, 17 Nov. 1946, see also Memo, War From WDSCA ES to USFA, Ref. No. WX 87858, 18 December 1946, both in File S4.8007, Box 20, RG 260, NARA.

101. MacKenzie Report, NARA.

102. Quotation from Department of State Report by Secretary of State George C. Marshall, No. A-142, 27 July 1948, File S4.8007, Box 20, RG 260, NARA.

103. *Ibid.*

104. Quotations from USFA Message Form, File S4.8007, Box 20, RG 260, NARA.

105. Memo, Arthur W. Marget, Chief, Finance Division, USACA, to Act. Chief Exec. Div., No. 2, 29 August 1946, Subject: Draft Cable in Reply to WARX 98112, File S4.8007, Box 20, RG 260, NARA.

106. USFA Incoming Message, from WAR, From WDSCA, ES to USFA and USFET, 17 September 1946, Ref. No. WARX 80453, File: Hungarian Property in Austria, June 1946 - November 1946, Box 21, RG 260, NARA.

107. Quotations from Department of State Report by Secretary of State George C. Marshall, No. A-142, 27 July 1948, File S4.8007, see also Memo, Walker M. Treece, Chief, Property Control Branch, to Military Government Detachment 7753, thru Property Control and Restitution Section, Zone Command Austria, 24 February 1947, Subject: Werfen Train, File S4.8007 Sa/2, all Box 20, RG 260, NARA.

108. Letter, Abba P. Schwartz, Reparations Officer, Inter-Governmental Committee on Refugees, to Brig. Gen. Jesmond D. Balmer, Deputy Commissioner, Headquarters, USFA, 23 May 1947, File: S4.8007 Sa/1, and Memo, Lt. Col. John F. De V. Patrick, to Property Control Branch, RD&R Division, USACA, USFA, thru Property Control and Restitution Section, Headquarters Zone Command Austria, 23 October 1947, Subject: Disposition of Werfen Train Articles not Disposable outside of Austria, and Memo, Lt. Col. Raymond F. Gunn, to Property

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Control Branch, RD&R Division, USACA, USFA, 31 January 1948, Subject: Furs from Werfen Train, and similar Memo, 9 October 1947, both in File S4.8007 Sa/3, all in Box 20, RG 260, NARA.

109. Quotations from Log Entry No. 3, Lt. Col. Eberhard P. Deutsch, Chief, Legal Division, 20 November 1945, and Log Entry No. 5, Lt. Col. Arthur W. Marget, Chief, Finance Division to RD&R Div., Property Control Branch, 20 November 1945, and Log Entry No. 6, Col. Theodore S. Paul to Chief, Legal Division, 8 December 1945, all File S4.8007 Sa, Box 20, RG 260, NARA.

110. Quotations from Memo, Caffery, Paris, to Secstate, 3 July 1946, File S4.8007, Box 20, RG 260, NARA.

111. See Memos, 1<sup>st</sup> Lt. Walker M. Treece to CO, Military Government Detachment E1B, Salzburg, Attention: Property Control Officer, SUBJECT: Disposal of Clothing to Needy Cases, 14 March 1946, and Maj. C. R. Agnew, Jr., Property Control Officer, to Maj. Kontz, Chief Property Control Branch, Reparations, Deliveries & Restitution Division, Headquarters, USFA, 5 March 1946, SUBJECT: Werfen Train Clothing, both in File S4.8007Sa, and Memo, Lt. Col. John F. De V. Patrick, to Property Control Branch, RD&R Division, USACA, USFA, thru Property Control and Restitution Section, Headquarters, Zone Command Austria, 23 October 1947, Subject: Disposition of Werfen Train Articles not Disposable outside of Austria, File S4.8007 Sa/3, all Box 20, RG 260, NARA.

112. Quotation from Memo, 1<sup>st</sup> Lt. J. V. Schulte to Property Control Branch, 17 February 1948, Subject: Receipts for Werfen Train Material, File S4.8007 Sa/3, Box 20, RG 260, NARA. This memo indicates that Werfen train property did have numbered Inventory and Appraisal forms completed by U.S. Army property control officers between 1945 and 1948, see also Whitnah and Erickson, *American Occupation*, p. 224-225.

113. Memorandum by the Minister of Finance, Hungarian Restitution Mission, Vienna, July 1948, 504/1948, File S4.8007 Sa/1, Box 20, RG 260, NARA.

114. Quotations from Burant, *Hungary: A County Study*, p. 47-48, 50.

115. Quotation from War, State, and Navy Departments to USFET for Gen. McNarney, Office of the Military Government, U.S., for Gen. Clay, USFA for Gen. Clark, Ref No: WARX 91471, 16 June 1946, Box 21, File Hungarian Property in Austria, June 1946 - Nov. 1946; Hungarian charges are fully outlined in Memorandum, Minister of Finance, Hungarian Restitution Mission, Vienna, July 1948, 504/1948, File S4.8007 Sa/1, Box 20, both in RG 260, NARA.

116. Quotation from Memo, James A. Garrison, Chief, RD&D Division, USACA, to ELDULLES, AmLeg, Vienna, 30 August 1948, File S4.8007 Sa, Box 20, RG 260, NARA.

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117. These are Files S4.8007 Sa, S4.8007 Sa/1, S4.8007 Sa/2, S4.8007 Sa/3, RG 260, NARA, cited throughout this report.

118. The receipts and requisition forms for material loaned from the property found on the Hungarian Gold train are numerous, see the following samples [number by author]: (1) Memo, Lt. Col. Homer K. Heller, Property Control Officer, to Reparations, Deliveries & Restitution Division, Headquarters, US Forces in Austria, 16 February 1946, Subject: Disposition of Receipts for Property issued from Military Government Warehouses, File S4.8007Sa, Box 20, RG 260, NARA, and (2) Memo and list, 1<sup>st</sup> Lt. Frazier J. Haynes to Commanding General, USFA, 29 July 1946, Subject: Disposition of Hungarian Gold Train Property, File S4.8007 Sa/1, (3) 9-page inventory by Capt. D. J. Wickland, Asst. Adj. General, to Commanding General, Zone Command Austria, 28 March 1947, Subject: Transfer of Accountability and Responsibility of Property Released by the Property Control Warehouse, Salzburg, File S4.8007 Sa/2, (4) Lt. Col. Homer K. Heller, Property Control Officer to Commanding General, Military Government, *Land Salzburg*, 31 July 1945, Subject: Inventory of Furniture and Furnishings, (5) Lt. Col. Homer K. Heller, to Col. F. W. Hyde, 15 February 1946, (6) 1<sup>st</sup> Lt. David E. Beverly to Lt. Col. Homer K. Heller, 19 February 1946, Certified True Copy of Inventory and Receipt, (7) 2<sup>nd</sup> Lt. Jack H. Cole to Lt. Col. Homer K. Heller, 27 September 1945, Certified True Copy of Inventory and Receipt, (8) Col. Leakey, USFA Billeting Officer, to Lt. Col. Homer K. Heller, 1 October 1945, (9) Certified True Copy of Inventory and Receipt signed by 1<sup>st</sup> Lt. J. A. MacKechnie, ADC to General Collins, n.d., (10) Certified True Copy of Inventory and Receipt signed by Capt. Jack J. Joyner, S-3, n.d., (11) Certified True Copy of Inventory and Receipt signed by 1<sup>st</sup> Lt. J. A. MacKechnie, ADC to General Collins, n.d., (12) True Copy of Receipt signed by 2<sup>nd</sup> Lt. Louis W. Grant, ADC to General Collins, n.d., (13) Certified True Copy of Receipt signed by 1<sup>st</sup> Lt. J. A. MacKechnie, ADC to General Collins, 16 November 1945, (14) True Certified Copy of Receipt signed by 1<sup>st</sup> Lt. J. A. MacKechnie, ADC to General Collins, 3 January 1946, (15) a second Certified True Copy of Receipt signed by 2<sup>nd</sup> Lt. Louis W. Grant, ADC to General Collins, n.d., (16) Certified True Copy of Receipt signed by Capt. B. MacCahey, ADC to General Collins, 8 January 1946, all in File S4.8007 Sa, Box 20, RG 260, NARA. A further memorandum requesting chinaware, silverware, glassware, thirty sets of table linens, and sixty sets of bed linens, pillow cases, and large bath towels "of the very best quality and workmanship available in the *Land of Salzburg*" from Maj. R. W. Cutler, Jr., to Lt. Col. Heller, on behalf of General Collins, dated 28 August 1945, is contained in File S4.8007 Sa. This memorandum does not indicate that the requested material was ever loaned to General Collins by the Property Control Warehouse. Additional certified true copies of inventories and receipts for Hungarian Gold train and other property in the property control warehouse loaned to U.S. Army personnel between 1945 and 1948 are in Files S4.8007Sa and S4.8007 Sa/1.

119. For a sampling of documents showing that property was indeed accounted for and turned in by U.S. military personnel, see Certified True Copy of Receipt signed by Col. Edwin B. Howard, 30 March 1946, indicating return of property, File S4.8007 Sa, Memos, Lt. Col. Raymond F. Gunn to Property Control Branch, 10 October 1947 and 14 October 1947, Subject: Receipts for

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Hungarian Gold Train Material, Memo, 1<sup>st</sup> Lt. J. V. Schulte to Property Control Branch, 17 February 1948, Subject: Receipts for Hungarian Gold Train Material, and Signed receipt, 2 February 1948, all in File S4.8007 Sa/3; see also USFA Message Form, Col. R. W. Broedlow, RD&R Division, USACA to OSCAD, July 1948, File S4.8007, all in Box 20, and Informal Memorandum from Louis F. Trompeter, DA Civilian and Chief Investigator, REO, to Mr. Kennedy, Property Control, 23 September 1948, 4-page inventory of items removed from 24 Brunnhausgasse, Villa Warsberg (General's Quarters), and Signed receipt from Ruppitch, representing Austrian Federal Government all in File #22, Box 4, RG 260, NARA.

120. See G-3 Journal, 42<sup>nd</sup> Inf. Div., 050001B To 052400B, June 45, Journal No. Entry 50, and 030001B to 032400B, June 1945, Journal Entry No. 7, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

121. Memo, Maj. James J. Langer, Restitution Officer, to Commanding General, USFA, USACA Section, RD&R Division, Reparations and Restitution Branch, 16 September 1947, Subject: Missing Objects from Castle and Station Klessheim, File: #21, Box 4, RG 260, NARA.

122. G-3 Journal, 42<sup>nd</sup> Inf. Div., 050001B To 052400B, June 45, Journal No. Entry 50, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

123. Lt. Patterson to Capt. Ames, 232<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 190001A To 192400A, Oct. 45, Journal Entry No. 12, and 230001A to 232400A, Oct. 45, Journal Entry No. 10, and 250001A To 252400A, Oct. 45, Journal Entry No. 15; all in File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

124. Lt. Patterson to Pvt. Krug, 232<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 110001B To 112400B, Sept. 45, Journal Entry No. 10, File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

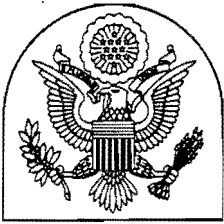
125. Capt. Gober to Capt. Houser, 232<sup>nd</sup> Inf., G-3 Journal, 42<sup>nd</sup> Inf. Div., 240001A To 242500A, Sept. 45, Journal Entry Nos. 11 and 12, and Capt. Gober to Lt. Col. Heller, *Land* Military Government Art and Treasures Officer, 250001A To 252400A, Sept. 45, Journal Entry No. 10, all in File 342-3.2, Box 10668, Entry 427, RG 407/94, NARA.

126. Memo, Capt. Edwin O. Merwin, Property Control Branch to Capt. Reberry, RD&R Office, Property Control Branch, CG USFA, 26 February 1946, Subject: Property Under Control, and Memo, James A. Garrison, Chief, RD&R Division to Military Government Section, Vienna Area Command, 14 March 1947, Subject: Household Articles Used in Gen. McMahon's Billet, and Memo, Capt. Edwin O. Merwin, Property Control Branch, to Capt. Reberry, Office of Deputy Commander, USFA, 26 February 1946, Re: Articles requisitioned for Maj. Gen. Donald W. Brann, all in File S 4.8007 Sa, Box 20, RG 260, NARA.

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127. See War Department Circular 155, 28 May 1945, Section VI, para 4 and para 5.
128. Quotations from Report, Maj. Cullus M. Mayes, Investigating Officer, to Commanding Officer, 7735 Military Government Detachment, 22 July 1947, Subject: Report of Investigation, File S4.8997 Sa/2, Box 20, RG 260, NARA.
129. Quotation from Whitnah, *Salzburg Under Siege*, p. 7.
130. Jelavich, *Modern Austria*, p. 262, see also Whitnah, *Salzburg Under Siege*, pp. 128-129.
131. Quotation from Whitnah, *American Occupation*, p. 253, see also pp. 254-257.
132. For Provost Marshall General records and reports from September 1945 through December 1948, see Boxes 13, 14, USFA Historical Files, RG 260, NARA.
133. Quotation from Whitnah, *American Occupation*, p. 225.
134. Quotations from Presidential Advisory Commission Report on Holocaust Era Assets in the United States, "Progress Report On: The Mystery of the Hungarian Gold Train," 14 October 1999, p. 2.



6.0.4-3



PRESIDENTIAL  
ADVISORY COMMISSION  
ON HOLOCAUST ASSETS  
IN THE UNITED STATES

## PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

---

Edgar M. Bronfman  
Chairman

Kenneth L. Klothen  
Executive Director

April 24, 2000

P.T. Henry  
Assistant Secretary to the Army  
Manpower and Reserves Affairs  
#2E594  
The Pentagon  
Washington, D.C. 20310

Dear P.T.:

I am writing to enlist your support to determine whether records relevant to the conduct of U.S. troops in Europe still exist so that we can study their behavior with regard to Holocaust assets. I have been informed that at least some of these documents may have been destroyed.

The Commission understands that the overwhelming majority of American servicemen behaved in exemplary fashion in Europe. There are, however, questions that need to be answered about the possible misappropriation of assets by some U.S. soldiers. Therefore, we are interested in records concerning troop behavior during the period in question. Furthermore, the Commission would like to obtain any historical or special reports related to the CID organization, operations and investigations during the 1944-1950 period.

In order to gain some indication of the incidence of misbehavior involving American military personnel and victims' assets, it may prove useful to undertake a quantitative analysis of such crimes. Thus, statistical surveys or analyses of incidences of misbehavior, as well as data concerning court-martial investigations involving theft of assets, could prove valuable to our research.

I would appreciate your help in arranging a meeting between Commission staff and the records managers of the following federal facilities: U.S. Army Criminal Investigation Division Command (CID Crime Records Center), U.S. Army Military Police School, National Personnel Records Center (Military and Civilian Personnel Branches), and the Washington National Records Center to determine whether the relevant records still exist and, if so, to help speed our review of these documents.

Thank you for your consideration.

Sincerely,

Kenneth L. Klothen  
Executive Director

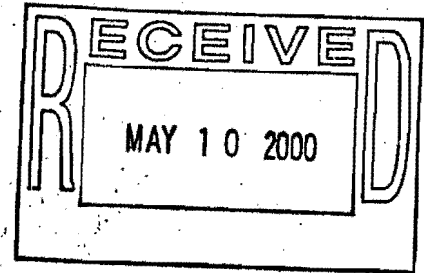


REPLY TO  
ATTENTION OF

6.D.4.3

DEPARTMENT OF THE ARMY  
OFFICE OF THE ASSISTANT SECRETARY  
MANPOWER AND RESERVE AFFAIRS  
111 ARMY PENTAGON  
WASHINGTON DC 20310-0111

May 8, 2000



Mr. Kenneth L. Klothen  
Executive Director  
Presidential Advisory Commission on  
Holocaust Assets in the United States  
901 15th Street, Northwest, Suite 350  
Washington, DC 20005

Dear Mr. Klothen:

*Ken*

Thank you for your recent letter requesting assistance with locating records regarding the conduct of United States soldiers in the handling of Holocaust-era assets.

In accordance with applicable records management policies, Criminal Investigation Command records from the World War II era and occupation are retired at the National Archives and Records Administration (NARA). I have asked the Criminal Investigation Command Crime Records Center to search its holdings to ensure that no records from that era were inadvertently overlooked. I will advise you immediately if responsive records are located in the Army's filing system.

According to the Army's records management policies of the time, those records of The Judge Advocate General's Corps with lasting historical value that may be responsive to your request have also been transferred to NARA. In addition to these records, the Office of the Clerk of Court, U.S. Army Judiciary, can retrieve records of World War II era courts-martial, based on the name of the accused. Thus, if your research discloses the identity of specific soldiers involved in the misappropriation of assets, your researchers may also wish to contact Ms. Mary Dennis at (703) 588-7920, for relevant Army courts-martial documents.

In response to your query of Military Police files, we are investigating what files may have been retained and what files have been destroyed in accordance with the records management policies of the time requiring the purging of nonessential and routine information after it has served its intended purpose. Current Army records management policy directs that those Military Police files generated during wartime be retained for a period of 50 years. We are in contact with the Military Police School in order to identify any residual records that may have been retained from that time period; however, essential records from that era should, by policy, have been transferred to the NARA. I am awaiting a response from the search of

the records at the Military Police School and will apprise you should they have any relevant records still in their possession.

Finally, the National Personnel Records Center is under the jurisdiction of NARA, not the United States Army. The Washington National Records Center is a General Services Administration (GSA) complex providing residual storage space to NARA and other Government agencies. We can coordinate with NARA and GSA to facilitate your review of Army's holdings at these facilities.

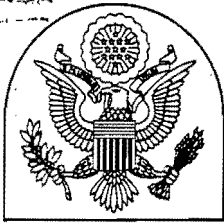
Please advise regarding how I can be of further of assistance to you on this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "P. T. Henry", written over the printed name.

Patrick T. Henry  
Assistant Secretary of the Army  
(Manpower and Reserve Affairs)

604.3



PRESIDENTIAL  
ADVISORY COMMISSION  
ON HOLOCAUST ASSETS  
IN THE UNITED STATES

## PRESIDENTIAL ADVISORY COMMISSION ON HOLOCAUST ASSETS IN THE UNITED STATES

Edgar M. Bronfman  
Chairman

Kenneth L. Klothben  
Executive Director

August 4, 2000

Assistant Secretary P.T. Henry  
Department of the Army  
Manpower and Reserves Affairs  
#2E594  
The Pentagon  
Washington, D.C. 20310

*PT*  
Dear Mr. Henry:

I am writing to enlist your support in determining whether record of interest to the Commission still exist as part of the U.S. Army Intelligence and Security Command's Investigative Records Repository (IRR). I have been informed that, although many Nazi-era records have been released to the National Archives, some of these documents may yet be held by the U.S. Army.

A list of individuals is enclosed. The Commission is interested in determining what, if any, relationship exists between these persons and victims' assets. We are also interested in gaining access to the records of the 215th Counter Intelligence Corps (CIC) Detachment. Documents relating to this unit for the period 1945-1950 are of particular interest, because it was the unit that encountered, arrested and interrogated Kurt Becher, a prominent member of the SS who had been active in Budapest.

Finally, the Commission is interested in determining whether records exist pertaining to assets of the Manfred Weiss family or Manfred Weiss Company, which were removed from Hungary to Germany and Austria in 1945.

I would appreciate your help in arranging a meeting between Commission staff and the appropriate officials at Fort Meade to determine whether the relevant records exist and, if so, to help speed our review of these documents.

Thank you for your consideration.

Sincerely,

  
Kenneth L. Klothben  
Executive Director

Baky, Laszlo.	DOB: 13 September 1898	POB: Budapest, Hungary
Becher, Kurt	DOB: 12 September 1909	POB: Hamburg, Germany
De Koranyi, Istvan	DOB: Unknown	POB: Unknown
Endre, Laszlo.	DOB: 1 January 1895	POB: Abony, Hungary
Ferenczy, Laszlo.	DOB: 8 March 1898	POB: Felsoviso, Hungary
Hain, Peter	DOB: 31 May 1895	POB: Karolyfalva, Hungary
Jaross, Andor	DOB: 23 May 1896	POB: Csehi, Hungary
Kettlitz, Herbert	DOB: Unknown	POB: Unknown
Klages, Otto	DOB: Unknown	POB: Unknown
Kolosvary-Borcsa, Mihaly	DOB: 1896	POB: Kolozsvar, Hungary
Koltay, Laszlo	DOB: 10 November 1902	POB: Dombovar, Hungary
Szalasi, Ferenc	DOB: 6 January 1897	POB: Kassa, Hungary
Toldy, Arpad	DOB: 2 January 1898	POB: Kiskoros, Hungary
Vajna, Gabor	DOB: 5 November 1891	POB: Kezdivasarhely, Hungary
Vajta, Ferenc	DOB: 1914	POB: Unknown

3 OF 4

## DRAFT COPY

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Thank you for your consideration.

Sincerely,

Kenneth L. Klothen  
Executive Director

*because it was the unit that encountered, arrested, and interrogated Kurt Becker, a prominent member of SS who had been active in Budapest.*

4 OF 4

6-0 4.3.1

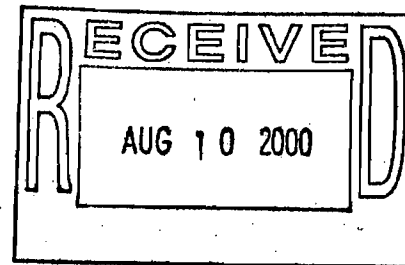


REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
THE U.S. ARMY CENTER OF MILITARY HISTORY  
103 THIRD AVENUE  
FORT LESLEY J. McNAIR DC 20319-5058  
August 7, 2000



Mr. Kenneth L. Klothen  
Executive Director  
Presidential Advisory Commission on  
Holocaust Assets in the United States  
901 15<sup>th</sup> Street, NW, Suite 350  
Washington DC 20005



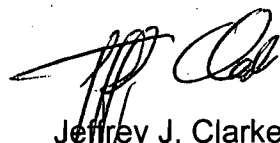
Dear Ken:

In September 1999, at the request of Mr. Henry, the Center's Museum Division began a formal survey of Army museums for Holocaust-related property that might somehow have come into their inventories. Although I know we had forwarded a computerized list of those collective holdings to the commission, we felt that the official artifact descriptions are often vague and that a more personal appeal to the curators would be appropriate. I would also add that almost all significant Army posts and installations have museums and that these institutions are responsible for all historical property on those bases.

The first enclosure is a copy of the memorandum that went out to all of the Army's 57 museums and historical holdings; the second enclosure is an interim survey report, noting responses from 35 of these institutions. Presently I am having our curators obtain responses from the remaining 22 and am also initiating a similar, but voluntary survey of National Guard museums (which are not under Federal control).

While this survey certainly will not scour every Army post and every unit dayroom, it will hit the most likely spots where such items might have migrated. It also alerts the most qualified personnel around the Army to our concerns, making them sensitive to the issue and to any follow up efforts. In any case, I will let you know of our survey's continued progress, at least by October.

Sincerely,

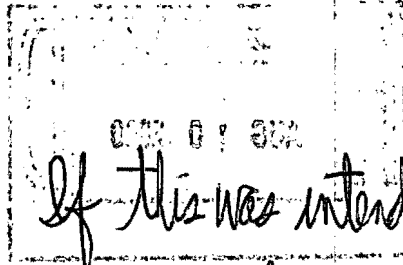
  
Jeffrey J. Clarke  
Chief Historian

Enclosures

Copy Furnished:

ASA/MRA

Ken - Please note that these facilities are in the U.S. not Europe.  
We wanted them to look at bases, offices clubs, etc. in Germany  
and Austria. This they haven't done. Follow up with Clark or P.T.  
GON (over)



If this was intended to address the recommendation,  
I don't think it gets there.

G



Example of Survey Tasker



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
THE U.S. ARMY CENTER OF MILITARY HISTORY  
103 THIRD AVENUE  
FORT LESLEY J. McNAIR DC 20319-5058

S: 3 September 1999

DAMH-MD (870-20)

MEMORANDUM FOR Army Women's Museum (ATTN: Ms. Burgess, Museum  
Director) Fort McClellan, AL 36205-5000

SUBJECT: Holocaust Era Assets

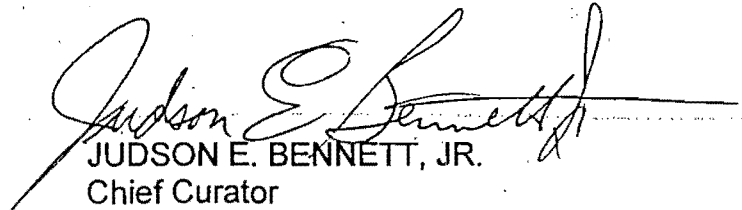
1. Congress established the U.S. Holocaust Assets Commission Act last year with the express purpose of reviewing existing records and conducting original research in order to investigate the acquisition and disposition of monetary and cultural property seized by the Nazis during World War II. In accordance with the Act, approximately one-third of the commission's funding comes from the Army's budget and the Army representative to the supervisory board is the Assistant Secretary of the Army for Manpower and Reserve Affairs, the Honorable P.T. Henry. Other board members include prominent Senators and Representatives as well as cabinet-level individuals from other agencies.
2. The focus of the commission is on the cultural and financial property of Holocaust victims that at some point came under U.S. government control during or after the Second World War. The voluminous Army records of the postwar occupations of Germany and Austria document the fate of much of this property, its acquisition by Army units and individuals and its subsequent disposition to the proper national and international authorities. However, given the great volume of the material in question, some of it might inadvertently have been transferred to an Army installation and ultimately an Army museum.
3. In accordance with Mr. Henry's directive, I would appreciate it if you would search your collection records for any cultural properties or archival material of this type that would have an unknown or European provenance and that could have been acquired by the Army between roughly 1943 and 1950. Items that would be under consideration include the following: Books, manuscripts, religious objects, gems, jewelry, precious metals, household goods, art and related objects, and foreign coins or currency. For now we only need to know what items, if any, might be in our museum collections, when they were acquired, and the source of acquisition.

DAMH-MD

SUBJECT: Holocaust Era Assets

4. Please respond by 3 September 1999 via mail, fax (FAX: 202-685-2113 or DSN 325-2113) or email (peterE@hqda.army.mil). Questions regarding this action may be referred to Mr. Eric Peterson, Program Information Specialist, at 202-685-2465 or DSN 325-2465.

FOR THE CHIEF OF MILITARY HISTORY:



JUDSON E. BENNETT, JR.  
Chief Curator

2

# Interim Survey Report

## Holocaust Era Assets Report

12-Nov-99

Museum Name	Response In	Response Date	Holocaust Assets in Collection (Y/N)
1. 1st Cavalry Division Museum	Yes	29-Jul-99	No
2. 2d Armored Cavalry Regiment Historical Holding	Yes	10-Aug-99	No
3. 3rd Cavalry Museum	Yes	29-Jul-99	No
4. 4th Infantry Division Museum	Yes	13-Aug-99	No
5. 82d Airborne Division War Memorial Museum	Yes	12-Aug-99	No
6. Armament Research, Development & Engineering Center HH	Yes	29-Jul-99	No
7. US Army Aviation Museum	Yes	05-Aug-99	No
8. Fort Bliss Museum	Yes	23-Aug-99	No
9. Omar N. Bradley Historical Holding	Yes	14-Sep-99	No
10. The Casemate Museum	Yes	02-Aug-99	No
11. US Army Chaplain Museum	Yes	24-Aug-99	No
12. Fort Dix Military Historical Holding	Yes	03-Aug-99	No
13. Fort Drum Historical Holding	Yes	28-Jul-99	No
14. US Army Corps of Engineers Museum	Yes	07-Sep-99	No
15. US Army Engineer Museum	Yes	06-Sep-99	No
16. US Army Finance Corps Museum	Yes	02-Sep-99	No
17. Frontier Army Museum	Yes	27-Jul-99	No
18. US Army Museum of Hawaii	Yes	31-Jul-99	No
19. Hessian Powder Magazine Historical Holding	Yes	14-Sep-99	No
20. Fort Huachuca Museum	Yes	31-Jul-99	No
21. US Army John F. Kennedy Special Warfare Museum	Yes	19-Aug-99	No
22. US Army Medical Department Museum	Yes	04-Aug-99	No
23. US Army Museum of the Noncommissioned Officer	Yes	10-Aug-99	No
24. The Old Guard Museum	Yes	29-Jul-99	No
25. US Army Ordnance Museum	Yes	26-Jul-99	No
26. Patton Museum of Cavalry & Armor	Yes	03-Sep-99	No
27. US Army Quartermaster Museum	Yes	06-Aug-99	No
28. Rock Island Arsenal Museum	Yes	10-Aug-99	No
29. Fort Sam Houston Museum	Yes	02-Sep-99	No
30. US Army Field Artillery & Fort Sill Museum	Yes	14-Sep-99	No
31. US Army Transportation Museum	Yes	17-Aug-99	No
32. Tropic Lightning Museum	Yes	03-Aug-99	No

Museum Name	Response In	Response Date	Holocaust Assets in Collection (Y/N)
33. Army Women's Museum	Yes	13-Aug-99	No
34. Watervliet Arsenal Museum	Yes	29-Jul-99	No
35. West Point Museum	Yes	16-Aug-99	No
36. 1st Armored Division Old Ironsides Museums	No		
37. 1st Infantry Division Museum	No		
38. 2nd Infantry Division Museum	No		
39. Adjutant General Corps Museum	No		
40. US Army Air Defense Artillery Museum	No		
41. US Cavalry Museum	No		
42. US Army Chemical Corps Museum	No		
43. US Army Communications-Electronics HH	No		
44. Harbor Defense Museum of New York City	No		
45. Fort Jackson Museum	No		
46. Fort Lewis Military Museum	No		
47. Fort George G. Meade Museum	No		
48. US Army Military Police Corps Regimental Museum	No		
49. US Army Military Intelligence Historical Holding	No		
50. National Infantry Museum	No		
51. National Training Center & 11th Armored Cavalry Regiment Museum	No		
52. Fort Polk Military Historical Holding	No		
53. Don F. Pratt Museum	No		
54. Fort Riley Regimental Museum	No		
55. US Army Signal Corps Museum	No		
56. Fort Stewart Museum	No		
57. White Sands Missile Range Historial Holding	No		

#### Statistic Summary

Total Number Required:	57	
Total Number of Surveys Completed:	35	61.40%

3

# Transmittal of inventories

November 5, 1999

Support Operations

Subject: Army Art and Artifact Inventory

Mr. Kenneth L. Klothen  
Executive Director  
Presidential Advisory Commission on  
Holocaust Assets in the United States  
901 15<sup>th</sup> Street, NW, Suite 350  
Washington, DC 20005

Dear Mr. Klothen:

I am forwarding to you the Army Art and Artifact inventories for the Center's holdings at our Franklin Court facility, 14<sup>th</sup> and L Streets, Washington, DC, NE. Please review the documents and determine which items you wish to view, then advise me on a date that your staff will be able to visit our 14<sup>th</sup> Street location. Marylou Gjernes, our Chief of Collections Branch, will require one week from the time we receive your list until the time your staff visits, in order to prepare the items for viewing.

Please do not hesitate to contact the Center if you have any further queries on this or other matters.

John S. Brown  
Brigadier General, U.S. Army  
Chief of Military History

6-04-52

**Katherine Page**

---

**From:** Katherine Page  
**Sent:** Monday, August 21, 2000 2:05 PM  
**To:** Ken Klothen  
**Subject:** Bert Haggett

Ken,  
Haggett is from Army Counter Intelligence. He'd called regarding the letter with the list of names sent to PT, about the investigative records repository. He did get in touch with Gene at some point before he left his office. He thinks he gave Gene a name & number of a person up at Ft. Meade to deal with directly.

Andy Swicegood (301) 677-2445

<b>K</b>		
<b>Tracking:</b>	<b>Recipient</b>	<b>Read</b>
	Ken Klothen	Read: 8/21/00 2:20 PM

**Katherine Page**

From: Ken Klothen  
 Sent: Monday, August 21, 2000 11:02 AM  
 To: Katherine Page  
 Subject: RE: Bert Haggett

call him and find out what he wants - his name is vaguely familiar, is the number a Pentagon number?

KLK

-----Original Message-----

From: Katherine Page  
 Sent: Monday, August 21, 2000 10:20 AM  
 To: Ken Klothen  
 Subject: Bert Haggett

While you were out with Becky, Bert Haggett called. Gene didn't want to speak to him until we knew who he is, but I couldn't find any reference to him in your machine or mine. You said you didn't know him. When I called him to find out who he is, his message on voice mail stated that he would be out of the office, returning today. His number is 703-601-1959.

PHONE CALL				
FOR	<i>Katherine</i>		DATE	<i>8/22</i>
M	<i>Andrew Swicegood</i>		TIME	<i>12:26</i> A.M.
OF				
PHONE	<input type="checkbox"/> FAX	<input type="checkbox"/> MOBILE	<i>301 677-2445</i>	
MESSAGE	<i>have Ething de classif - 1 page</i>			
<i>not bring info Day was to class - CIA</i>				
<i>215th files at NARA 9/8 Names response</i>				
<i>Linette</i>				
SIGNED				
<input checked="" type="checkbox"/> PHONED <input checked="" type="checkbox"/> RETURNED YOUR CALL <input checked="" type="checkbox"/> PLEASE CALL <input type="checkbox"/> WILL CALL AGAIN <input type="checkbox"/> CAME TO SEE YOU <input type="checkbox"/> WANTS TO SEE YOU				

*no files*

FORM 4003

CLINTON LIBRARY PHOTOCOPY